

Fourth—All State poll taxes collected from persons in Lamar County, except that portion belonging to the public school fund.

Sec. 2. The collector of taxes of Lamar County shall at the end of each month make all reports to the State Comptroller as is now required by law and make all settlements as required by law; provided, that the State Comptroller shall acknowledge the receipts of the county treasurer and the city treasurer of the City of Paris in lieu of the cash remittances of the county tax collector for the taxes herein specified.

Sec. 3. The county auditor of Lamar County and the treasurer of the corporation of the City of Paris shall each make itemized statements at the end of each month, showing by items on blanks furnished or approved by the State Comptroller the amounts of money received by each and the expenditures and disbursements from the funds hereinafter created, stating upon what permanent public improvements such items were so expended. Said report shall be signed by such auditor and treasurer and duly attested before some officer authorized to take oaths. And when the court house and jail of Lamar County and the permanent public improvements of the City of Paris have been replaced it shall be the duty of the auditor and treasurer to state such fact or facts under oath in the next monthly report following thereafter, giving the balance, if any, due thereon. And it shall be their further duty, when such amounts have been paid in full, to certify that fact to the State Comptroller.

Sec. 4. The county tax collector of Lamar County shall pay over to the county treasurer and the treasurer of the City of Paris each month the full amounts of the taxes above mentioned that have been collected by him, giving equal portions to each; provided, however, that when the county has paid the balance due on the new court house and jail, or when the city has paid for the buildings and other permanent improvements damaged, injured or destroyed by the fire of March 21-22, 1916, then, in either case, the tax collector shall pay to the other all the funds derived from the above taxes until each have paid for such improvements, after which he shall remit all of the taxes to the State

Comptroller as other taxes and is now provided by law. It being the intention of this Act that neither the city nor the county shall have the right to receive a greater amount than is necessary to replace or rebuild such permanent public improvements as were damaged or destroyed by the fire.

Sec. 5. The moneys herein and hereby granted and donated to the City of Paris and Lamar County are declared to be a trust fund for the purpose of aiding the City of Paris and Lamar County in the replacing or re-establishing of their respective public institutions and for the purpose of paying therefor and reimbursing the city or county for moneys derived from any issue or issues of bonds or warrants issued or used for any of the above and foregoing purposes herein specified, to wit: Rebuilding a court house, county and city jails, city hall, fire stations, school buildings and repairing or relay and resurface streets or public buildings damaged or destroyed in the burned districts. The use or diversion of such funds for any other purpose is hereby prohibited. A violation of the provisions of this Section shall constitute a misapplication of public funds, and the person or persons so offending shall be punished as is provided by law for such offense.

FORTY - FIFTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, March 8, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Harley.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.

Strickland. Westbrook.
Suiter.

Absent.

Woodward.

Absent—Excused.

Henderson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Buchanan of Scurry:

S. B. No. 473, A bill to be entitled "An Act to create the Tahoka Independent School District in Lynn County, Texas, out of the territory known as Tahoka Common School District No. 2 in said county, defining its boundaries and providing for the election of a board of trustees therefor and authorizing the board of trustees to levy, assess and collect special taxes, conferring upon the board of trustees plenary powers, providing authority to issue bonds for the purposes of purchasing school building sites, and erecting, furnishing and equipping school buildings within the said district, to levy taxes therefor and to pay current expenses for the support and maintenance of said schools, providing for a board of equalization and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore levied, and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

By Senator Bee:

S. B. No. 474, A bill to be entitled "An Act setting aside the building now occupied and used as a General Land Office, located in Austin, Travis County, Texas, in order that the Daughters of the Republic and the Texas Division of the Daughters of the Confederacy might accumulate

mementos and relics and preserve and perpetuate the history and traditions of the Southland and our Commonwealth; providing how said building shall be used by the respective parties; making an appropriation for the repairing and remodeling of said building, and declaring an emergency."

Read first time and referred to the Committee on State Affairs.

By Senator Buchanan of Scurry:

S. B. No. 475, A bill to be entitled "An Act creating the Girard Independent School District in Kent County, Texas, out of the territory known as the Girard Common School District No. 13 in said county; defining its boundaries and providing for the election of trustees therefor and authorizing the board of trustees to levy, assess and collect special taxes, conferring upon the board of trustees plenary powers, etc., and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

Simple Resolution No. 111.

By Senator Strickland:

I move that a committee of three members of the Senate be appointed by the Lieutenant Governor to look into the work done by the Board of Water Engineers, and to ascertain if said board is needed by the State, and to determine if the appropriations heretofore made for said board have been judiciously expended.

Senator Strickland moved that the resolution be adopted.

Senator Bee offered in writing the following:

I move as a substitute that the resolution be referred to the Finance Committee for their investigation.

BEE.

Senator Strickland moved to table the substitute motion, and the motion to table prevailed by the following vote:

Yeas—14.

Alderdice.	Johnston of Harris.
Bailey.	Lattimore.
Buchanan of Bell.	Robbins.
Buchanan of Scurry.	Smith.
Floyd.	Strickland.
Hopkins.	Suiter.
Johnson of Hall.	Westbrook.

Nays—10.

Bee.	Caldwell.
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Dayton.	Hudspeth.
Gibson.	King.
Hall.	Page.
Harley.	Parr.

Absent.

Clark.	McCollum.
Dean.	McNealus.
Decherd.	Woodward.

Absent—Excused.

Henderson.

Action recurred upon the resolution and the same was adopted.

Senate Concurrent Resolution No. 24.

By Senator Dayton et al.:

Be it resolved by the Senate of Texas, the House of Representatives concurring, That the Regular Session of the Thirty-fifth Legislature of Texas be adjourned sine die at 12 o'clock noon, on Friday, March 16, 1917.

Senator Clark moved to set S. C. R. No. 24 as a special order for next Monday after the morning call. The motion prevailed.

Messages from the House.

Hall of the House of Representatives.
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 783, A bill to be entitled "An Act to make an appropriation to pay debts contracted by the Prison Commission prior to January 7, 1915 making an itemized statement of such debts; making an appropriation to pay the interest which has or may accrue from the dates of maturity of such debts until the same are severally paid, and declaring an emergency," with engrossed rider.

S. B. No. 436, A bill to be entitled "An Act to reorganize the Twentieth Judicial District of Texas and to create the Eighty-third Judicial District of Texas, to fix the time of holding court in said districts and to provide for organizing grand juries at certain terms in said courts, etc., to repeal all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

S. B. No. 433, A bill to be entitled "An Act to amend Section 6 of 6a of

an Act to reorganize the Twenty-eighth Judicial District of the State of Texas, and to create a criminal district court for the counties of Nueces, Kleberg, Willacy and Cameron, being known as S. B. No. 330, passed by the Thirty-fifth Legislature and approved February 26, 1917, and to conform all writs and processes from such courts to such changes, including recognizances and bonds, and to repeal all laws in conflict herewith, and declaring an emergency," with amendments.

S. B. No. 442, A bill to be entitled "An Act to amend Section 53, Article 1121, Title 25, Chapter 2, of Vernon's Sayles' Texas Civil Statutes, being an Act of the Thirtieth Legislature, Chapter 157, General Laws, page 299, and declaring an emergency."

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 544, A bill to be entitled "An Act to amend Article 984 of the Revised Civil Statutes of Texas of 1911, so as to authorize cities and towns to require the filling up, draining and regulating of any lot or lots, grounds, or yards or other places in the city or town which shall be unwholesome, or have stagnant water therein or from any other cause be in such condition as to be liable to produce disease; to cause or make inspection of all premises and to impose fine on the owners of houses under which stagnant water may be found, or upon whose premises stagnant water may be found, and to pass such ordinances as they may deem necessary for the purpose aforesaid, and making, filling up, altering or repairing of all sinks and privies, and directing the mode and material for constructing them in the future, and for cleansing and disinfecting the same; and for cleansing of houses, buildings, yards or grounds of filth, carrion or impure or unwholesome matter of any kind, and to punish the owner or occupant violating the provisions of any ordinance so passed as aforesaid; and

providing for the removal of weeds, rubbish, brush, etc., from lots, and empowering the city or town council, city commissioners, or other governing body of such city or town to make or cause such improvements to be made at the expense of the city on account of the owners, and to cause the expense of such improvements or work to be assessed on the real estate or lot or lots for or upon which work is done or improvements are made; and making provisions for notice to owners, and providing that a lien may be fixed upon such lot or lots, etc., for the improvement made, or caused to be made by the city or town, or for the work done, and also providing how the amounts expended in such improvements or work may be fixed, and providing for suit and foreclosure of the lien so given and the rate of interest to be paid on amounts so expended, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 669, A bill to be entitled "An Act to amend Sections 2, 3, and 14 of an Act creating the county court of Dallas County at law, passed at the Regular Session of the Thirtieth Legislature of the State of Texas, and approved April 3, 1907, and adding thereto Sections 15 and 16, so as to restore to the county court of Dallas County jurisdiction in all matters and causes, civil and criminal, over which by the General Laws of the State county courts have jurisdiction, providing for the manner of filing and transferring cases and declaring an emergency."

S. B. No. 377, A bill to be entitled "An Act to amend Section 1 of Chapter 58 of the Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas; creating the Huntsville Independent School District in Walker County, Texas, and defining its boundaries, and declaring an emergency."

S. B. No. 376, A bill to be entitled "An Act to amend Sections 7, 9 and 38 and to add a new section thereto, to be known as Section 42a, and extending the provisions of said Act to the Counties of McMullen and Atascosa, of Chapter 49 of the General Laws of the State of Texas for the year 1901, entitled 'An Act to create a more efficient road system for Fayette, Uvalde and Frio Counties, Texas,' with amendments."

S. B. No. 395, A bill to be entitled "An Act to define and construe an Act approved March 16, 1907, being Chapter 26 of the Special Laws of the Thirty-first Legislature, and amendments thereto, by an Act approved September 1, 1910, being Chapter 1 of the Special Laws of the Fourth Session of the Thirty-first Legislature, 1910, authorizing the County of Galveston to build and construct a causeway and to issue bonds therefor; defining and construing the intention of said Acts to be that an issue of bonds and levy of tax by said county for such purpose can be made whenever said causeway needs reconstruction in whole or in part or needs repairs; declaring the object and intent being to provide the State of Texas at all times with suitable access to the port of Galveston; and the further purpose of this Act is to validate an issue to be made of six hundred thousand dollars of bonds, a second issue for construction of the causeway lost in the storm of August, 1915, that issue of bonds being under the terms and provisions of said Act as amended so as to authorize the issue of said bonds in conformity with the provisions of the Constitution of this State, including Article 3, Section 52, and declaring an emergency."

H. B. No. 740, A bill to be entitled "An Act to repeal Chapter 71, Special Acts of 1915, Thirty-fourth Legislature of Texas, creating a special road system for Milam County, etc., and declaring an emergency."

H. B. No. 744, A bill to be entitled "An Act to prevent the selling of bass and white perch or crappie or channel catfish taken from the fresh waters in the county of Tom Green, State of Texas; making it unlawful to use any dynamite or other explosives in the killing or catching of any fish in any of the fresh waters of said county and providing a penalty for the violation thereof; prohibiting the use of any seine, drag net, trammel net or other net other than a minnow seine, which shall not be more than ten feet in length, limiting the number of fish to be taken in any one day; providing that the district judge of the judicial district in which Tom Green County is situated shall give a special charge upon this law to the grand juries of Tom Green County; providing a penalty

for the violation hereof, and declaring an emergency."

H. B. No. 747, A bill to be entitled "An Act creating a more efficient road system for Grimes County, Texas, etc., and declaring an emergency."

H. B. No. 749, A bill to be entitled "An Act permitting the commissioners court of Donley County, Texas, to pay the members of said court the sum of \$4 per day while serving at the terms of said court."

H. B. No. 757, A bill to be entitled "An Act to fix the time of holding the courts of the Sixty-fourth Judicial District of Texas; to validate all process, bonds and recognizances heretofore taken in the courts of said district and all judgments therein rendered or to be rendered; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 765, A bill to be entitled "An Act creating the Aspermont Independent School District in Stonewall County, Texas; defining its metes and bounds, etc., and declaring an emergency."

S. B. No. 204, A bill to be entitled "An Act to repeal Section 4, Chapter 150, of the Acts of the Regular Session of the Thirty-third Legislature, as amended by Chapter 13, Acts of the First Called Session of the Thirty-third Legislature, relating to the payment of in-county witnesses in felony cases, and declaring an emergency."

H. B. No. 769, A bill to be entitled "An Act to amend Sections 6 and 7 of the special road law in force in Van Zandt County, as enacted by the Thirty-third Legislature and approved March 25, 1913," etc.

H. B. No. 779, A bill to be entitled "An Act increasing Valera Common School District No. 52 to conform to certain metes and bounds; providing that said district shall be governed by the general laws of the State, and declaring an emergency."

H. B. No. 471, A bill to be entitled "An Act conveying to the United States of America all right, title and interest which the State of Texas may have or hold in and to the following described tract of land situated in the city of Galveston, County of Galveston, State of Texas, known and described on the maps and plats of said city now in common use as being the tract of land located on the dyke in Galveston Bay, described as follows: Commencing at a point on the U. S. dyke bulkhead,

same being the S. W. corner of a piece of ground leased to J. P. McDonough by the city of Galveston, Texas; thence S. 76 deg. 54½ min. W. 82.8 ft. to place of beginning, same being approximately on center line of Twenty-fifth street produced; thence along said bulkhead S. 76 deg. 54½ min. W. 310.6 ft.; thence N. 28 deg. 08½ min W. 500 ft.; thence N. 76 deg. 54½ min. E. 310.6 ft. parallel to said bulkhead; thence S. 28 deg. 08½ min. E. parallel to and 80 ft. W. of W. line of said J. P. McDonough's lease 500 feet to place of beginning, containing 3.44 acres; for the purpose of enabling the United States government to build thereon a lighthouse depot, and declaring an emergency."

H. B. No. 786, A bill to be entitled "An Act to create a special fish law for Wood County, exempting said county from certain provisions of the general fish and game laws of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 375, A bill to be entitled "An Act to reorganize the Seventh, Fourteenth and Fortieth Judicial Districts and to create the Eighty-sixth Judicial District of the State of Texas, and providing for the appointment of the district judge for said Eighty-sixth Judicial District, and providing for holding the district courts and the terms thereof in the said Seventh, Fourteenth, Fortieth and Eighty-sixth Judicial Districts, and providing that all process, recognizances, bail bonds, appeal bonds, and jurors heretofore selected are valid and returnable to first session after this act takes effect, and validating all judgments and decrees of the said courts, and providing for the continuation of any district court mentioned to the end of its term, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 544, referred to the Committee on Public Health.

H. B. No. 669, referred to the Committee on Judicial Districts.

H. B. No. 740, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 744, referred to the Committee on Criminal Jurisprudence.

H. B. No. 747, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 749, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 757, referred to the Committee on Judicial Districts.

H. B. No. 765, referred to the Committee on Educational Affairs.

H. B. No. 769, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 471, referred to the Committee on Federal Relations.

H. B. No. 786, referred to the Committee on Criminal Jurisprudence.

H. B. No. 779, referred to the Committee on Educational Affairs.

H. B. No. 783, referred to the Committee on Public Claims and Accounts.

Senate Bill No. ~~237~~ House Amendments.

Senator Hudspeth called up and moved that the House amendments to S. B. No. 237 be printed in the Journal.

The motion prevailed, and following are the House amendments in full:

(1)

Strike out Section 3a, page 4, of the amended Senate Bill No. 237, and substitute the following Section 3a:

"Section 3a. An employe of a subscriber shall be held to have waived his right of action at common law or under any statute of this State to recover damages for injuries sustained in the course of his employment if he shall not have given his employer, at the time of his contract of hire, notice in writing that he claimed said right or if the contract of hire was made before the employer became a subscriber, if the employe shall not have given the said notice within five (5) days of notice of such subscription. An employe who has given notice to his employer that he claimed his right of action at common law or under any statute may thereafter waive such claim by notice in writing, which shall take effect five

(5) days after its delivery to his employer or his agent; provided further, that any employe of a subscriber who has not waived his right of action at common law or under any statute to recover damages for injury sustained in the course of his employment, as above provided in this section, shall, as well as his legal beneficiaries and representatives, have his or their cause of action for such injuries as now exist by the common law and statutes of this State, which action shall be subject to all defenses under the common law and statutes of this State."

(2)

Amend said bill, Part 2, at the end of Section 4a, page 23, line —, by adding after the word "incapacity" the following: "Provided, that for good cause the board may in meritorious cases waive the strict compliance with the foregoing limitations as to notice and the filing of the claim before the board."

(3)

Amend Part 1, Section 18, page 19, line —, after the word "act," by adding the following clause: "and shall certify such fact to the Commissioner of Insurance and Banking, and such certificate shall be sufficient cause to justify said Commissioner of Insurance and Banking to revoke or forfeit the license or permit of such association to do business in Texas."

(4)

At the end of Section 7c, Part 1, add to the following subsection 7d: "For representing the interests of any claimant in any matter carried from the board into the courts, it shall be lawful for the attorneys representing such interests to contract with any of the beneficiaries under this Act for an attorney's fee for such representation, not to exceed one-third of the amount recovered, such fee for the services so rendered to be fixed and allowed by the trial court in which such matter may be heard and determined."

(5)

In Part 1, Section 7c, page 7, line —, after the word "dollars" change the period to a comma and add the following: "and in addition the reasonable expenses incurred by the attorney in the preparation and presentation of the said claim before

the board; such expenses to be allowed by the board; further provided, that where an attorney represents only a part of those interested in the allowance of a claim before the board and his services in prosecuting such claim and obtaining an award thereon inures to the benefit of others jointly interested therein, then the board may take these facts into consideration and allow the attorney a reasonable charge to be assessed against the interest of those receiving benefits from the services of such attorney."

(6)

Amend Part 3, pages 34 and 35, beginning at line —, by striking out Section 23.

(7)

Amend Part 1, page 19, beginning at line —, by striking out Section 15 and substituting in lieu thereof the following:

"Section 15. In cases where death or total permanent incapacity results from an injury, the liability of the association may be redeemed by payment of a lump sum by agreement of the parties thereto, subject to the approval of the Industrial Accident Board hereinafter created. This section shall be construed as excluding any other character of lump sum settlement save and except as herein specified; provided, however, that in special cases where in the judgment of the board manifest hardship and injustice would otherwise result, the board may compel the association in the cases provided for in this section to redeem their liability by payment of a lump sum as may be determined by the board."

(8)

Amend Part 2, Section 3, page 21, line —, by striking out all after the figure "Section 3" and down to the word "and" in line —, page 21, and substitute the following: "The salaries and expenses of the Industrial Accident Board shall be paid by the State. The salaries of the said members of the board shall be as follows: For the chairman of said board, \$3600 per year, and for each of the other members thereof, \$3000, payable in equal monthly installments. The board may appoint a secretary at a salary not to exceed \$2500 a year."

(9)

Amend Part 2, Section 2, pages 20

and 21, line —, by striking out Section 2 and inserting the following:

"Section 2. One member of the Industrial Accident Board shall be at the time of his appointment an employer of labor in some industry or business covered by this act; one shall be at the time of his appointment employed in some business or industry as a wage earner, and the third member shall be at the time of his appointment a practicing attorney of recognized ability, said member to act in the capacity of legal adviser to the board, in addition to his other duties as a member thereof, and to be chairman of said board."

(10)

Amend Part 1, Section 12h, page 18, beginning at line —, by adding at the end of said section the following:

Change the period to a semicolon and add the following: "nor to employers eligible to come under the terms of this act who do not elect to do so but who choose to carry insurance upon their employees independently of this law without attempting in such insurance to provide compensation under the terms of this act; but further provided, that any evasion of this section, whereby an insurance company shall undertake, under the guise of writing insurance against the risks of employers who do not see proper to come under this act to write insurance substantially or in any material respect similar to the insurance provided for by this act, that such insurance shall be void, as provided for by the foregoing provisions of this section."

(11)

Amend Part 1 by striking out on pages 8 and 9, beginning at line —, the entire Section 8a and substituting the following:

"Section 8a: The compensation provided for in the foregoing section of this act shall be for the sole and exclusive benefit of the surviving husband who has not for good cause and for a period of three years prior thereto abandoned his wife at the time of the injury, the wife who has not at the time of the injury without good cause and for a period of three years prior thereto abandoned her husband and the minor children, without regard to the question of dependency, dependent parents and dependent children or dependent brothers and sisters of the deceased employee, and the

amount recovered thereunder shall not be liable for the debts of the deceased or the debts of the beneficiary or beneficiaries, and shall be distributed among such beneficiaries as may be entitled to same as hereinbefore provided according to the laws of descent and distribution of this State; and provided such compensation shall not pass to the estate of the deceased to be administered upon, but shall be paid directly to said beneficiaries when the same are capable of taking, under the laws of the State, or to their guardian or next friend, in case of lunacy, infancy or other disqualifying cause of any beneficiary. And the compensation provided for in this act shall be paid weekly to the beneficiaries herein named and specified, subject to the other provisions of this Act."

(12)

Amend Senate Bill No. 237, Part 2, by adding between Sections 5 and 6 a new section, as follows:

"Section 5a. In all cases where the board shall make a final order, ruling or decision as provided in the foregoing Section 5 hereof, and against the association, and the association shall fail and refuse to obey or comply with the same and shall fail or refuse to bring suit to set the same aside as in said Section 5 is provided, then in that event, the claimant in addition to the rights and remedies given him and the board in said Section 5 may bring suit in some court of competent jurisdiction where the injury occurred, upon said order, ruling or decision, and if he secures a judgment in said court sustaining such order, ruling or decision in whole or in part, he shall also be entitled to recover the further sum of twelve per cent as damages upon the amount of compensation so recovered in said judgment, together with a reasonable attorney's fee for the prosecution and collection of such claim.

"It is also further provided that where the board has made an award against an association requiring the payment to an injured employe or his beneficiaries of any weekly or monthly payments, under the terms of this act, and such association should thereafter fail or refuse, without justifiable cause, to continue to make said payments promptly as they mature, then the said injured employe or his beneficiaries, in case of his death, shall have the right to mature the entire claim and to in-

stitute suit thereon in any court of competent jurisdiction where the injury occurred to collect the full amount thereof, together with twelve per cent penalties and attorney's fees, as provided for in the foregoing paragraph of this section."

(13)

Amend Senate Bill No. 237, Section 2, Part 4, by striking out the words and figures "and 23," in line —, after the figures "21."

Amend Senate Bill No. 237, Section 2, Part 4, by inserting the word "and" between the figures "18a" and "21."

Amend committee amendment (11) to Senate Bill No. 237 by inserting after the word "parents" in line 9 thereof and before the word "and" the following: "dependent grandparents and dependent step-mother."

Amend Senate Bill No. 237 by adding at the end of committee amendment, known as Section 5a, the following: "Suit may be brought under the provisions of this section of the Act, either in the county where the accident occurred or in any county where the claimants reside, or where one or more of such claimants may have his place of residence at the time of the institution of the suit."

(14)

Amend Senate Bill No. 237, page 1, Section 12e, by changing the last sentence thereof so as to read as follows: "The results of such operation, the question as to whether the injured employe shall be required to submit thereto and the benefits and liabilities arising therefrom shall attach, be treated, handled and determined by the board in the same way as is provided in the case of hernia in this Act."

(15)

Amend Senate Bill No. 237 by inserting a new section in part 1 thereof between Sections 15 and 16 to be known as Section 15a to read as follows:

"Section 15a. In any case where compensation is payable weekly at a definite sum and for a definite period, and it appears to the board that the amount of compensation being paid is inadequate to meet the necessities of the beneficiary the board shall have the power to increase the amount of compensation by correspondingly decreasing the number of

weeks for which the same is to be paid allowing such discount to the company increasing such payments as is applicable in cases of lump sum settlement."

(16)

Amend Part 2, Section 3, by striking out "\$3,600" wherever it occurs and insert "\$3,000;" by striking out "\$3,000" where it occurs and inserting "\$2,500;" by striking out "\$2,500" where it occurs and insert "\$2,000."

(17)

Amend Senate Bill No. 237, Part 4, Section 2, page 696, House Journal, line 19, column 2, by striking out the word "greater" and inserting in lieu thereof the word "less."

House Bill No. 654.

The Chair laid before the Senate on third reading:

H. B. No. 654, A bill to be entitled "An Act to create a more efficient road system for Angelina County; creating a highway commission, defining its duties, providing for the qualification and election of the members of the same, etc., and declaring an emergency."

The bill was laid before the Senate, read the third time and passed by the following vote:

Yeas—24.

Alderdice.	Johnson of Hall.
Bailey.	Johnston of Harris.
Bee.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dean.	Page.
Decherd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Hopkins.	Suiter.
Hudspeth.	Westbrook.

Absent.

Buchanan of Bell.	Harley.
Dayton.	Parr.
Floyd.	Woodward.

Absent—Excused.

Henderson.

House Bill No. 639.

The Chair laid before the Senate on third reading:

H. B. No. 639, A bill to be entitled "An Act to permit the paying of the

members of the commissioners' courts in Wheeler County, Texas, \$4.00 per day for services."

The bill was laid before the Senate, read third time and passed finally.

House Bill No. 48.

The Chair laid before the Senate on third reading:

H. B. No. 48, A bill to be entitled "An Act for the protection of stock raisers, farmers and horticulturists; providing for the destruction of wolves and other wild animals; to make an appropriation therefor; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was laid before the Senate, read the third time and passed finally.

Senator Hudspeth moved to reconsider the vote by which H. B. No. 48 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 636.

The Chair laid before the Senate on third reading:

H. B. No. 636, A bill to be entitled "An Act creating a more efficient road system for Wichita County, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and on motion of Senator Johnson of Hall was passed by the following vote:

Yeas—26.

Alderdice.	Johnston of Harris.
Bailey.	King.
Bee.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Hopkins.	Westbrook.
Johnson of Hall.	Woodward.

Present—Not Voting.

Hudspeth.

Absent.

Buchanan of Bell. Dayton.
Clark.

Absent—Excused.

Henderson.

House Bill No. 738.

The Chair laid before the Senate on its third reading:

H. B. No. 738, A bill to be entitled "An Act creating the Remlig Common County Line Independent School District, known as Remlig Common County Line School District No. 3, Jasper County, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and on motion of Senator King was passed by the following vote:

Yeas—26.

Alderdice.	Johnston of Harris.
Bailey.	King.
Bee.	Lattimore.
Buchanan of Bell.	McCollum.
Buchanan of Scurry.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Hopkins.	Suiter.
Hudspeth.	Westbrook.
Johnson of Hall.	Woodward.

Absent.

Caldwell.	Dayton.
Clark.	Dean.

Absent—Excused.

Henderson.

House Bill No. 111.

The Chair laid before the Senate on third reading:

H. B. No. 111, A bill to be entitled "An Act to regulate, control and license pool halls and billiard halls in the State of Texas and to provide for bond of the keepers of such halls before license will be issued and making it a misdemeanor to operate such halls without complying with the terms hereof, and providing punishment for running or operating such halls without first obtaining a license, to repeal Chapter 74 of the General Laws of Texas of the Thirty-third Legislature passed in 1913."

The bill was laid before the Senate, read third time and on motion of Senator Johnson of Hall was passed by the following vote:

Yeas—20.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.

Nays—8.

Bailey.	Johnston of Harris.
Bee.	King.
Hall.	McCollum.
Harley.	McNealus.

Absent.

Caldwell.	Clark.
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Absent—Excused.

Henderson.

Senator Johnson of Hall moved to reconsider the vote by which H. B. No. 111 was passed and table the motion to reconsider.

The motion to table prevailed.

Special Committee Appointed.

The Chair announced the appointment of the following Senators as a committee pursuant to Simple Resolution No. 111: Senators Strickland, Hudspeth and Bailey.

House Bill No. 228.

Senator Page moved to reconsider the vote by which H. B. No. 228 was postponed indefinitely on yesterday.

The motion prevailed by the following vote:

Yeas—13.

Bee.	Lattimore.
Buchanan of Scurry.	McCollum.
Gibson.	Page.
Harley.	Parr.
Johnson of Hall.	Westbrook.
Johnston of Harris.	Woodward.
King.	

Nays—5.

Buchanan of Bell.	McNealus.
Decherd.	Smith.
Hudspeth.	

Present—Not Voting.

Alderdice.	Strickland.
Bailey.	Suiter.
Robbins.	

Absent.

Caldwell.	Floyd.
Clark.	Hall.
Dayton.	Hopkins.
Dean.	

Absent—Excused.

Henderson.

Senator King moved to lay the bill on the table subject to call.

As a substitute, Senator McNealus moved to recommit the bill to the Committee on Educational Affairs.

The substitute motion was lost.

The motion to lay on the table subject to call prevailed.

House Bill No. 72.

(Pending.)

The Chair laid before the Senate as pending business on second reading.

H. B. No. 72, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal College to be located at Corpus Christi, Nueces County, Texas, and to be known as the South Texas State Normal College, and declaring an emergency."

Pending.

Senate Bill No. 34—House Amendment Concurred In.

Senator Bee called up for the purpose of consideration of the House amendment to

S. B. No. 34, A bill to be entitled "An Act providing a salary for district attorneys in counties having a population of more than 100,000 of \$500.00 and all fees, commissions, and perquisites earned by such office and exempting such district attorney from making accounting as required by Articles 3894 to 3897, inclusive, and by other provisions of law of such fees, commissions and perquisites, and repealing all laws fixing a maximum compensation allowed such district attorney to pay over any excess fees."

The following House amendment was laid before the Senate and read:

Amend S. B. No. 34 by striking out the words and figures "five thousand" wherever they appear in the bill and substitute therefor the words and figures "six thousand."

On motion of Senator Bee the Senate concurred in the amendment.

Senate Bill No. 336—House Amendments Concurred In.

Senator Parr called up for the purpose of consideration of the House amendments to

S. B. No. 336, A bill to be entitled "An Act to increase the authority and duties of the commissioners court of Nueces County, Texas, and of the county commissioners of said county, to require said county commissioners to devote their time and attention to the affairs of said county, and fix the salary for the members of said commissioners court, and repealing all laws, general and special, in conflict with the provisions of this Act, and declaring an emergency."

The House amendments were laid before the Senate, read, and adopted, and on motion of Senator Parr were ordered not printed in the Senate Journal.

Senate Bill No. 433—House Amendments Concurred In.

Senator Parr called up for the purpose of consideration of the House amendments to:

S. B. No. 433. A bill to be entitled "An Act to amend Section 6 of 6a of an Act to reorganize the Twenty-eighth Judicial District of the State of Texas, and to create a criminal district court for the counties of Nueces, Kleberg, Willacy and Cameron, being known as S. B. No. 330, passed by the Thirty-fifth Legislature and approved February 26, 1917, and to conform all writs and processes from such courts to such changes, including recognizances and bonds, and to repeal all laws in conflict herewith, and declaring an emergency."

The House amendments were laid before the Senate, read and adopted; and on motion of Senator Parr, were ordered not printed in the Senate Journal.

Recess.

At 12:15 o'clock p. m. on motion of Senator Clark, the Senate recessed until 2:30 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Hobby.

Bills Signed.

The Chair (Lieutenant Governor Hobby) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 395, A bill to be entitled "An Act to define and construe an act approved March 16, 1907, being Chapter 26 of the Special Laws of the Thirty-first Legislature, and amendments thereto, by an Act approved September 1, 1910, being Chapter 1 of Special Laws of fourth session of Thirty-first Legislature, 1910, authorizing the county of Galveston to build and construct a causeway and to issue bonds therefor; defining and construing the intention of said Acts to be that an issue of bonds and levy of tax by said county for such purpose can be made whenever said causeway needs reconstruction in whole or in part or needs repairs. Declaring the object and intent being to provide the State of Texas at all times with suitable access to the port of Galveston; and the further purpose of this Act is to validate an issue to be made of six hundred thousand dollars of bonds, a second issue for construction of the causeway lost in the storm of August, 1915, that issue of bonds being under the terms and provisions of said Act as amended, so as to authorize the issue of said bonds in conformity with the provisions of the Constitution of this State, including Article 3, Section 52; declaring an emergency."

S. B. No. 442, A bill to be entitled "An Act to amend Section 53, Article 1121, Title 25, Chapter 2, of Vernon's Sayles' Texas Civil Statutes, being the Act of the Thirtieth Legislature, Chapter 157, General Laws, page 299, and declaring an emergency."

S. B. No. 204, A bill to be entitled "An Act to repeal Section 4, Chapter 150, of the Acts of the Regular Session of the Thirty-third Legislature as amended by Chapter 13, Acts of the First Called Session of the Thirty-third Legislature, relating to the payment of in-county witnesses in felony cases, and declaring an emergency."

H. B. No. 730, A bill to be entitled "An Act to amend Chapter 56 of the Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being an act to amend Chapter 34 of the Special Laws of the Regular Session of the Thirty-second Legislature, being an act to amend Chapter 80 of the Special Laws passed

by the Thirtieth Legislature of the State of Texas, approved April 15, 1907, and to amend Chapter 71 of the Special Laws passed by the Regular Session of the Thirty-first Legislature of the State of Texas, approved March 17, 1909, and to create a more efficient road law for Lee County, Texas, etc., and declaring an emergency."

H. B. No. 354, A bill to be entitled "An Act to reorganize the Thirty-eighth, the Fifty-first, the Sixty-third and the Seventieth Judicial Districts of the State of Texas, and to create the Eighty-second Judicial District of the State of Texas, and to prescribe the time and fix the terms of holding the courts in each of said judicial districts, and to conform all writs and process from such courts to such changes, and to provide for the appointment and election of a district judge and district attorney in said Eighty-second Judicial District, and to make all process issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of the courts in the several districts as herein fixed; to validate such process and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 667, A bill to be entitled "An Act incorporating and creating the Paducah Independent School District in Cottle County, Texas, etc., and declaring an emergency."

H. B. No. 226, A bill to be entitled "An Act for the purpose of promoting and improving the development of the country schools of the State by the appropriation of one million dollars each year, or such part thereof as may be necessary, for the next two fiscal years ending August 31, 1918, and 1919, respectively, by allowing the State Board of Education to aid any one school in any sum not exceeding five hundred dollars in any one year, and providing that schools receiving such aid be located and constructed in a certain way and having certain and necessary equipment, and providing for the employment of competent teachers."

Mr. Cyril Maude.

At this time Mr. Cyril Maude was conducted to the President's stand by Senator Johnston of Harris et al., pursuant to Simple Resolution No. 109

adopted on yesterday, whereupon he made a very interesting short address on the subject of the present war in Europe.

(Senator Bailey in the Chair.)

**Free Conference Committee Report
on Senate Bill No. 11.**

Committee Room,
Austin, Texas, March 6, 1917.

Hon. W. P. Hobby, President of the Senate; Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, the conferees of Free Conference Committee on the part of Senate and House to whom were re-committed Senate Bill No. 11, with House amendments, beg leave to report that we have agreed upon the following committee substitute for substitute for S. B. No. 11, and recommend that the same do pass by striking out all after the enacting clause in S. B. No. 11 and insert in lieu thereof the following:

Section 1. The State of Texas shall be apportioned into the following congressional districts, each of which shall be entitled to elect one member of the Congress of the United States:

First—The following counties shall compose the First District, to wit: Bowie, Red River, Lamar, Delta, Hopkins, Franklin, Titus, Camp, Morris, Cass and Marion.

Second—The following counties shall compose the Second District, to wit: Panola, Shelby, San Augustine, Sabine, Newton, Jasper, Orange, Jefferson, Hardin, Tyler, Angelina, Nacogdoches, Cherokee and Harrison.

Third—The following counties shall compose the Third District, to wit: Kaufman, Van Zandt, Wood, Upshur, Smith, Gregg, Henderson and Rusk.

Fourth—The following counties shall compose the Fourth District, to wit: Fannin, Grayson, Collin, Hunt and Rains.

Fifth—The following counties shall compose the Fifth District, to wit: Dallas, Ellis and Rockwell.

Sixth—The following counties shall compose the Sixth District, to wit: Navarro, Freestone, Limestone, Robertson, Brazos, Milam, Leon, Madison and Hill.

Seventh—The following counties shall compose the Seventh District, to wit: Galveston, Chambers, Liberty, San Jacinto, Polk, Trinity, Houston,

Anderson, Walker and Montgomery.

Eighth—The following counties shall compose the Eighth District, to wit: Harris, Fort Bend, Waller and Grimes.

Ninth—The following counties shall compose the Ninth District, to wit: Brazoria, Fayette, Colorado, Wharton, Matagorda, Jackson, Lavaca, Gonzales, DeWitt, Victoria, Colhoun, Goliad and Refugio.

Tenth—The following counties shall compose the Tenth District, to wit: Washington, Austin, Burleson, Lee, Bastrop, Caldwell, Hays, Travis and Williamson.

Eleventh—The following counties shall compose the Eleventh District, to wit: Bell, Coryell, Hamilton, Bosque, McLennan and Falls.

Twelfth—The following counties shall compose the Twelfth District, to wit: Erath, Hood, Somervell, Johnson, Tarrant and Parker.

Thirteenth—The following counties shall compose the Thirteenth District, to wit: Cooke, Denton, Wise, Montague, Clay, Jack, Young, Archer, Wichita, Wilbarger, Baylor and Throckmorton.

Fourteenth—The following counties shall compose the Fourteenth District, to wit: Aransas, San Patricio, Bee, Karnes, Wilson, Bexar, Comal, Kendall, Blanco, Nueces and Guadalupe.

Fifteenth—The following counties shall compose the Fifteenth District, to wit: Cameron, Willacy, Kleberg, Jim Wells, Brooks, Hidalgo, Starr, Jim Hogg, Zapata, Webb, Duval, Live Oak, McMullen, LaSalle, Dimmit, Maverick, Zavala, Frio, Atascosa, Medina, Uvalde and Kinney.

Sixteenth—The following counties shall compose the Sixteenth District, to wit: Andrews, Martin, Howard, Mitchell, Coke, Sterling, Glasscock, Midland, Ector, Winkler, Loving, Ward, Crane, Upton, Reagan, Irion, Tom Green, Menard, Schleicher, Crockett, Sutton, Kimble, Terrell, Pecos, Reeves, Culberson, El Paso, Jeff Davis, Presidio, Brewster, Huds-peth, Real, Kerr, Gillespie, Bandera, Val Verde, Edwards and Mason.

Seventeenth—The following counties shall compose the Seventeenth District, to wit: Burnet, Llano, Comanche, McCulloch, San Saba, Lampasas, Mills, Brown, Coleman, Callahan, Eastland, Stephens, Shackelford, Jones, Palo Pinto, Taylor, Nolan, Concho and Runnels.

Eighteenth—The following counties shall compose the Eighteenth District, to wit: Hardeman, Foard, Knox, Haskell, Fisher, Stonewall, King, Cottle, Childress, Collingsworth, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Gray, Denley, Hall, Motley, Dickens, Kent, Scurry, Borden, Garza, Crosby, Floyd, Briscoe, Armstrong, Carson, Hutchinson, Hansford, Sherman, Moore, Potter, Randall, Swisher, Hale, Lubbock, Lynn, Dawson, Gaines, Terry, Hockley, Lamb, Castro, Dallam, Hartley, Oldham, Deaf Smith, Farmer, Bailey, Yoakum and Cochran.

Sec. 2. Nothing in this Act shall in any wise affect the tenure in office of the present delegation in Congress of Texas, but this Act shall take effect for the general election in 1918, and the Congressmen shall be elected from each of said districts for 1918, and thereafter until this law shall have been changed by the Legislature of this State.

Sec. 3. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 4. The great importance of the legislation proposed and the previous delay in re-districting the State, causing great injustice to a large part of our State in denying due representation in Congress, creates an emergency and an imperative public necessity which requires that the constitutional rule requiring that bills be read on three several days be suspended and that this bill be placed upon final passage, and it is so enacted.

DAYTON,
CLARK,
SMITH,
GIBSON,
PAGE,

On part of the Senate.

BONER,
LOW,
McFARLAND,
BRYANT,
DAVIS of Grimes,

On part of the House.

Senator Dayton moved to adopt the foregoing report.

Senator Lattimore moved that the report be laid on the table subject to call.

Senator Page moved to table the motion, which prevailed.

Senator Dean moved as substitute that the report be not adopted.

Senator Clark moved to table the

substitute motion, and moved the previous question on the adoption of the report, which being duly seconded, the main question was ordered.

The motion to table the substitute motion of Senator Dean prevailed by the following vote:

Yeas—23.

Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Nays—4.

Alderdice.	Decherd.
Dean.	Lattimore.

Present—Not Voting.

Johnston of Harris. Strickland.

Absent.

Buchanan of Bell.

Absent—Excused.

Henderson.

Action then recurred upon the motion of Senator Dayton to adopt the report of the free conference committee on House Bill No. 11, and the same was adopted by the following vote:

Yeas—25.

Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	McCollum.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Nays—3.

Dean.	Lattimore.
Decherd.	

Present—Not Voting.

Johnston of Harris.

Absent.

Alderdice.

Absent—Excused.

Henderson.

Senator Dayton moved to reconsider the vote by which Free Conference Committee report on House Bill No. 11 was adopted and table the motion to reconsider.

The motion to table prevailed.

Reasons for Vote.

I vote "no" on the motion to adopt the report of the Free Conference Committee on the Congressional Redistricting Bill, because said committee, in the one and only session held by it to consider this bill, and without any opportunity on the part of the Representative or Senator from Madison or Leon County to be heard, removed said two counties from the Seventh District in which both the Senate and House bills placed said counties; and said Free Conference Committee placed said two counties in the Sixth District, which already, without said two counties, had a population of more than 220,000, and which, with said two counties, has a population of 259,062, according to the 1910 census.

The Seventh District, with said counties eliminated, only has 191,122 inhabitants, and with said counties included said Seventh District would have 217,023, or only 400 more than the average provided for in the Congressional Apportionment Act.

I believe that the bill, as respects the Sixth and Seventh Districts, is violative of the requirement that the counties in forming the districts be grouped so that the districts will be constituted of contiguous territory, and having as nearly equal population as is practicable.

Moreover, these counties, Madison and Leon, are by this Free Conference Committee report separated from the other counties of the State with which they have all of their business and political relations, and have had for years past, and are placed in a district with other counties, with some of which they have had no such relations. This could have been avoided, with justice to all.

if said counties had been left in the Seventh District, where both the House and Senate bills placed them.
DEAN.

House Bill No. 72.

(Pending.)

Action recurred upon House Bill No. 72, as pending business, the question being upon the passage of the bill to third reading.

Senator Dean offered the following amendment:

Amend the bill by striking out the figures "1917" where they occur in the bill and insert in lieu thereof "1918," and by striking out "1918" wherever it occurs in the bill and insert in lieu thereof "1919."

DEAN.

Senator Parr moved to table the amendment, which motion prevailed.

Action recurred upon the passage of the bill to a third reading, and

Senator Bee moved the previous question on the motion to pass to a third reading, which, being duly seconded, was ordered.

The bill was read second time and passed to its third reading by the following vote:

Yeas—20.

Bailey.	Johnston of Harris.
Bee.	King.
Caldwell.	McCollum.
Clark.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.

Nays—5.

Alderdice.	Johnson of Hall.
Buchanan of Scurry.	Robbins.
Dean.	

Present—Not Voting.

Buchanan of Bell. McNealus.

Absent.

Dayton.	Lattimore.
Decherd.	

Absent—Excused.

Henderson.

On motion of Senator Bee, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 72 put on its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Johnston of Harris.
Bee.	King.
Buchanan of Bell.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Hopkins.	Woodward.
Hudspeth.	

Nays—5.

Alderdice.	Johnson of Hall.
Buchanan of Scurry.	Westbrook.
Gibson.	

Absent.

Decherd.	Lattimore.
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Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed finally.

Senator Bee moved to reconsider the vote by which House Bill No. 72 was passed and table the motion to reconsider.

The motion to table prevailed.

Messages From the House.

Hall of the House of Representatives.
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House Bill No. 502, and requests the appointment of a free conference committee. The following have been appointed on the part of the House: Lange, Mendell, Swope, Fisher and Spradley.

Concurs in Senate amendments to House Bill No. 519.

Respectfully,

BOB BARKER,
Chief Clerk House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House Bill No. 738.

Passed:

S. B. No. 389, A bill to be entitled "An Act to incorporate the Calvert Independent School District, in Robertson County, Texas, for free school purposes only; defining its boundaries; divesting the City of Calvert of the control of its public free schools, and of its school property and vesting the same in said independent school district and its board of trustees; providing that all funds belonging or owing to said city schools inure to the benefit of said independent school district, and that all contracts made by the board of trustees of said city schools shall be carried out by the board of trustees of said independent school district, but that said district shall never be liable for any indebtedness of said city; providing for a board of trustees for said district, and describing the rights, powers and duties of said Calvert Independent School District, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk House of Representatives.

Senate Bill No. 436—House Amendments Concurred in.

Senator Decherd called up for consideration of the House amendment to

S. B. No. 436, A bill to be entitled "An Act to reorganize the Twentieth Judicial District of Texas and to create the Eighty-third Judicial District of Texas, to fix the time of holding court in said districts and to provide for organizing grand juries at certain terms in said courts, etc., to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The Chair laid before the Senate the following House amendment:

Amend Senate Bill No. 436 by striking out "Eighty-third" wherever it occurs in the bill and the caption and insert in lieu thereof "Eighty-fifth."

The amendment was read, and on

motion of Senator Decherd, the Senate concurred in the same.

(Lieutenant Governor Hobby in the chair.)

Simple Resolution No. 112.

(By unanimous consent.)

Whereas, The records in the Comptroller's Department of the State of Texas show the items hereto attached to have been incurred by the Commissioner of Agriculture, and by members of the department, and that said items were charged against the State and against the appropriation made for said department by the Thirty-fourth Legislature; therefore be it

Resolved, That this resolution, together with the copies attached hereto, be printed in the Journal and that the same be referred to the Finance Committee of the Senate with instructions that the same be examined into by said committee for the purpose of ascertaining if such expenditures were in fact made, and, if it be ascertained that they were made, then said committee is directed to submit the same to the Attorney General of the State of Texas and ask whether or not the same was a correct, proper and lawful expenditure and within the scope and provisions of the appropriation made for said department by the Thirty-fourth Legislature, and report the same back to the Senate.

CLARK.

The resolution was read and adopted.

See Appendix of today's Journal for itemized statements.

House Bill No. 238.

By unanimous consent and on request of Senator Hall, the Chair laid before the Senate on second reading,

H. B. No. 238, A bill to be entitled "An Act to authorize the commissioners' courts of the several counties of Texas to create and establish defined districts for irrigation purposes to be known as water improvement districts,

empower such districts to construct reservoirs, dams, canals, laterals, ditches, pumping plants and other internal improvements necessary to irrigation systems; to order and hold elections for the purpose of voting on irrigation propositions and establishment of such districts; and to provide for the careful government and operation of such districts; and to authorize such districts to issue bonds and assess property for taxation, and to levy and collect taxes in payment of bonds issued for such irrigation improvements and maintenance thereof, and authorize such districts to levy assessments for the operation and maintenance thereof, and to assess and collect taxes for the payment of bonds issued and interest thereon and the expense of assessing and collecting such taxes; authorizing the election of directors and authorizing the appointment of tax assessors and collectors and all other necessary officers, attorneys, managers, engineers and employes of such districts for the purpose of carrying into effect the provisions of this Act; providing for determining the lands included in said districts and the addition of other territory to same, and the exclusion of territory from same; granting right of eminent domain for such districts and authorizing such districts to acquire by purchase, gift, grant or condemnation for such district, the title to any right-of-way and other necessary property, and providing for the payment thereof; providing for the acquiring of water rights for such districts, and providing for the distribution of water by such districts, and the sale of water; authorizing such districts to do all things necessary for the establishment and maintenance of such districts, and construction and maintenance of all necessary improvements, and to levy and collect assessments for the operation and maintenance thereof; providing for the selection of depositories, for the maintenance of an office, for the keeping of books and accounts by such district; fixing a lien and penalties to enforce the collection of taxes; fixing a lien and penalty to enforce the collection of assessments; providing for the filing of suits to es-

establish the validity of the formation of such districts, and providing for the Attorney General of the State to file answers in such proceedings, and fixing the venue of such actions; authorizing the addition of territory within two or more counties to established districts, and authorizing the formation of districts, including territory in two or more counties, providing for elections in such districts and the method of making returns and declaring the result of such election; providing that suit may be instituted in the name of the State of Texas by the Attorney General; providing for the distribution of water among the water users of such districts; providing generally a complete system for the formation of water improvement districts, the governing of such districts, and the dissolution of such districts; providing that such districts may acquire existing drainage improvement and pay the debts of same; providing that such districts may construct drainage ditches and improvements and may construct levees and may pay for all such improvements; providing for the validation and continuing in force of all irrigation districts heretofore formed and now existing in the State of Texas; repealing an Act of the Thirty-third Legislature, being Chapter 172 of said Acts of 1913, of the State of Texas; providing for changing the name of irrigation districts; providing for cancelling and re-issuing irrigation district bonds and water improvement district bonds; authorizing such districts to enter into contract with the United States or the officers thereof for the building, rental and operation of irrigation works and for other purposes; relating to the terms of such contracts and the means of carrying out the same; of collecting taxes and other charges thereupon and disbursing the same; providing for the sale of bonds, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Hall offered the following amendment, which was adopted:

(1) Amend H. B. No. 238 by striking

out Section 67 and renumbering remaining sections to correspond.

Senator Hudspeth offered the following amendment, which was read and adopted:

(2) Amend H. B. No. 238, page 936 Senate Journal, by striking out all of the last line of Section 6 and insert the following: "offices to be filled at such election."

Senator Harley offered the following amendment:

Amend the bill, page 1037 Senate Journal, March 7, 1917, by adding after Section 118 another section to be known as Section 119, to read as follows: "Nothing in this Act shall be held or construed to alter, affect, impair, increase, destroy, abrogate, validate or invalidate any existing or vested rights, contract or covenant running with the land expressed in deeds of conveyance to lands which may be embraced in any district formed under this Act which have been executed and delivered by any corporation or individual owning an established irrigation system whose irrigation system may be or has been acquired by purchase under the provisions of this Act as the one superseded hereby," and by numbering all sections to correspond herewith.

On motion of Senator Hudspeth, the amendment was tabled.

The bill was read second time and passed to its third reading.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 238 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Johnson of Hall.
Bailey.	Johnston of Harris.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Hopkins.	Suiter.
Hudspeth.	Westbrook.

Absent.

Dayton.	Gibson.
Dean.	Woodward.

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	

Absent.

Dayton.	Page.
Gibson.	Woodward.
Johnston of Harris.	

Absent—Excused.

Henderson.

Senator Hall moved to reconsider the vote by which H. B. No. 238 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 502—Free Conference Committee Elected.

Senator Harley made the following motion in writing:

I move that the Senate grant the request of the House for a free conference committee on H. B. No. 502 and that the following be elected on the part of the Senate: Bee, Caldwell, Hopkins, Westbrook and King.

HARLEY.

The motion prevailed, carrying the election of the committee named.

Adjournment.

At 6:30 o'clock p. m., on motion of Senator McNealus, the Senate adjourned until 10 o'clock a. m. tomorrow.

APPENDIX A.

Petitions and Memorials.

To the Honorable Senate and House of Representatives of the Thirty-fifth Legislature.

Sirs: The speech of Governor Ferguson in the House of Representatives on March '3 as reported and published in the press of the State contains many hurtful charges against the State University. Three days have elapsed since these publications, and we are not advised of any denial by him of the correctness of the reports.

Paramount among these charges are the following:

(1) That the University of Texas is maintaining a lobby before the present session of the Legislature to bring about Governor Ferguson's political ruin.

(2) That the University has conspired with others to bring about the introduction into the House of the resolution then pending before it providing for an investigation of the Governor's conduct.

(3) That the University is robbing the people.

These charges are exceedingly harmful to the University, to those responsible for the administration of its affairs, and to the people of the State, for whose benefit it is established and maintained. We earnestly protest against the continued reiteration of these unfounded accusations, and insist upon their correction.

The remedies presently available to us, the president and general faculty of the University, to refute these charges are:

(1) To deny most solemnly and earnestly each and all of them, and

(2) To appeal to the Legislature for a thorough and impartial inquiry into and determination of the issues thus raised.

Pursuing the first remedy, we do most solemnly affirm:

(1) That we have not, as a faculty or individually (as to the latter, each speaking for himself), directly or indirectly, maintained or sought to maintain, or in any way aided in maintaining, any lobby before the Legislature, or either of its houses, for any purpose whatsoever.

(2) That we have not, as a faculty or individually (as to the latter, each speaking for himself), directly or indirectly, or in any other manner, had any connection with or part in the

suggestion, preparation, introduction, or support of the resolution regarding the Governor pending before the House at the time of his speech, or any other resolution or proceeding seeking to bring about an investigation of his conduct by either house.

(3) That, to the best of our knowledge and belief, there is no robbing of the people by this institution, by the administrative officers, or faculty, or other persons connected therewith, but that, on the contrary, the administration of the affairs of the institution has been singularly free from all graft or improper use of public funds, and has been characterized by scrupulous regard for the best interests of the people and of the University as one of their institutions, administered for their benefit. All this can be readily verified by reference to the biennial reports of the University expenditures made and published by the Board of Regents, and to the annual certified reports of the expert accountants employed by the State for the purpose of ascertaining the facts as to such expenditures.

Pursuing our second remedy, we repeat that these charges seriously reflect on the University and on your petitioners, and are of grave concern to the people of the State. If the institution is being conducted as therein stated, it is not entitled to the confidence or support of the people. If these charges are groundless, and the institution is being properly conducted, then the University is of inestimable benefit to the people, and particularly to the young manhood and womanhood of the State. These accusations reflect upon every individual member of the faculty. If the people of the State have been robbed by the University, some one or more of your petitioners are the robbers. The accusations give no names; so that all of us are equally under the opprobrium caused thereby.

Therefore, we, the president and general faculty of the University of Texas, both in our relations to the University and as citizens of the State of Texas, exercising our constitutional right of petition for the correction of these grievous wrongs to the University, to the State, and to us, do most earnestly request of you to come to our relief, and make a full, thorough, fair, impartial, and public inquiry into and just determination of all the accusations made against us, in order that

the truth concerning them all may be brought out and made known to all men, and that an end may be put to their continued reiteration.

Further, inasmuch as it has been publicly charged that the University is opposed to liberal appropriations for the rural schools of the State, we, the president and general faculty of the University of Texas, take this opportunity to deny such statement, and earnestly to request the present and future Legislatures and executives to do all in their power to aid in developing the efficiency of such schools so far as the revenues of the State will justly permit.

Respectfully submitted,

Robert E. Vinson, president; W. J. Battle, dean of the faculty; John C. Townes, dean of law department; W. S. Sutton, dean of department of education; H. W. Harper, dean of the graduate department; H. Y. Benedict, dean of the College of Arts; C. S. Potts, assistant dean, department of law; E. C. H. Bantel, assistant dean, department of engineering; T. U. Taylor, dean of engineering; George C. Butte, J. M. Bryant, Will H. Mayes, R. G. Breissler, E. T. Miller, C. D. Rice, Carl Hartman, Theophilus S. Painter, D. H. Casteel, J. Frank Dobie, H. M. Ellis, Edward L. Dodd, A. Caswell Ellis, Mary E. Gearing, Elizabeth Meguire, Jennie R. Bear, W. B. Duncan, L. W. Payne, Jr. (per R. A. A.), E. C. H. Bantel, Ira B. Hildebrand, W. M. Tucker, H. P. Bybee, W. Edelheimer, Earl L. Bradsher, N. H. Clement, Louise M. Spaeth, Wm. R. Manning, C. S. Yoakum, Spurgeon Bell, J. B. Wharey, Morgan Callaway Jr., E. P. Schoch, Edwin W. Patterson, W. W. Cleaves, A. P. Brogan, E. C. Barker, E. J. Mathews, Winthrop L. Keep, Geo. M. Calhoun, E. J. Villavaso, Frank L. Reed, C. P. Blackwell, Robt. A. Law, B. F. Pittenger, J. E. Treleven, Benj. M. Woodridge, L. Theo. Bellmont, E. M. Clark, Howard M. Jones, W. E. Dunn, Eliot Jones, A. B. Wolfe, Frederic W. Simonds, J. T. Patterson, Robert E. Cofer, Nina Weisinger, Eunice Aden, M. B. Porter, J. W. Calhoun, J. M. Kuehne, K. F. Muenzinger, E. Prokosch, Chas. W. Ramsdell, H. L. Green, Chas. Groves Haines, W. S. Hendrix, John

A. Lomax, Daniel A. Penick, Truman L. Kelley, F. L. Whitney, F. E. Gelserole, A. A. Cother, R. G. Tyler, Stanley P. Finch, J. R. Bailey, Fred-
 eric Duncan, Killis Campbell, L. W. Sackett, H. T. Parlin, J. A. Correll, Joseph W. Ramsay, C. E. Rowe, J. E. Goodwin, Hal C. Weaver, F. W. Riker, A. C. Jackson, F. B. Marsh, Edwin W. Fay, W. T. Mather, Lulu Mary Bailey, Samuel E. Gideon, Lilia M. Casis, Jessie Andrews, Mary E. Decherd, R. W. Fowler, James F. Royster, B. D. Tarlton, L. McLaurin, J. Lassen Boysen, Anna E. Richardson, Finn Erick Eby, F. W. Graff, Otto F. Bond, J. L. Henderson, M. S. Young, F. McAllister, J. Anton de Haas, S. L. Brown, H. M. Kirby, Roberta Lavender, Stit Thompson, S. R. Ashby, W. M. Tanner, C. T. Greig.

The foregoing is printed here by order of the Senate and on motion of Senator Gibson.

A letter from the Lavaca County Retail Merchants' Association was offered by Senator Clark in support of House Bill 151.

Committee Reports.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 475, A bill to be entitled "An Act creating the Girard Independent School District in Kent County, Texas, out of the territory known as the Girard Common School District No. 13, in said county; defining its boundaries and providing for the election of trustees therefor, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bee, Chairman; Buchanan of Scurry, Floyd, Smith, Hall, Alderdice, Harley, Johnson, Dean, Lattimore, Page.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 744, A bill to be entitled "An Act to prevent the selling of bass and white perch, or crappie, or channel catfish, taken from the fresh waters in the County of Tom Green, State of Texas; making it unlawful to use any dynamite or other explosives in the killing or catching of any fish in any of the fresh waters of said county, and providing a penalty for the violation thereof; prohibiting the use of any seine, drag net, trammel net or other net other than a minnow seine, which shall not be more than ten feet in length; limiting the number of fish to be taken in any one day; providing that the district judge of the judicial district in which Tom Green County is situated shall give a special charge upon this law to the grand juries of Tom Green County; providing a penalty for the violation hereof, and declaring an emergency,"

Have had the same under consideration and beg to report the same back with the recommendation that it do pass and be not printed.

Page, Chairman; Hall, Strickland, Hudspeth, Caldwell, Westbrook, Dayton, Lattimore, King, Suiter.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 786, A bill to be entitled "An Act to create a special fish law for Wood County, Texas, exempting said county from certain provisions of the general fish and game laws of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg to report the same back with the recommendation that it do pass and be not printed.

Page, Chairman; Hall, Strickland,

Hudspeth, Caldwell, Westbrook, Dayton, Lattimore, King, Suiter.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 473, A bill to be entitled "An Act to create the Tahoka Independent School District in Lynn County, Texas, out of the territory known as the Tahoka Common School District No. 2 in said county; defining its boundaries and providing for the election of trustees therefor, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bee, Chairman; Page, Dayton, Dean, Lattimore, Buchanan of Scurry, Floyd, Robbins, Alderdice.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 669, A bill to be entitled "An Act to amend Sections 2, 3 and 14 of an Act creating the County Court of Dallas County at Law, passed at the Regular Session of the Thirtieth Legislature of the State of Texas, and approved April 3, 1907, and adding thereto Sections 15 and 16, so as to restore to the County Court of Dallas County jurisdiction in all matters and causes, civil and criminal, over which by the general laws of the State county courts have jurisdiction; providing for the manner of filing and transferring cases, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Buchanan of Scurry, Chairman; King, Suiter, Parr, Hall, Johnston of Harris, Dean, McCollum.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 37, A bill to be entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the licensing, registration and identification of motor vehicles and for the payment of registration therefor; to provide for the licensing of persons operating motor vehicles," etc.,

Have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass and be printed in the Journal only.

Caldwell, Chairman; Floyd, Buchanan of Scurry, Clark, Smith, Gibson, Strickland.

By Carlock.

H. B. No. 37.

A BILL
To Be Entitled

An Act to regulate the use and operation of vehicles upon the public highways; to provide for the licensing, registration and identification of motor vehicles; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; to declare the laws of the road which are to regulate traffic upon the public highways of this State; to provide penalties for violations of the provisions of this Act; to provide for the distribution of fines arising under this Act; to limit the power of local authorities to enact or enforce ordinances, rules and regulations in conflict with matters embraced within the provisions of this Act; to provide for the collection and enforcement of the payment of certain license fees, fines and forfeitures specified in the Act, and to provide that the said Act shall become effective on July 1, 1917.

Be it enacted by the Legislature of the State of Texas:

Section 1. Upon the receipt by the

Highway Department of an application for registration of a motor vehicle accompanied by the fee required by law to entitle such motor vehicle to registration, the Department shall file such application and shall alphabetically and also numerically, register and correctly index such motor vehicles with the name, residence and business address of the owner, together with the facts stated in such application in a book to be kept for the purpose, under the distinctive number assigned to such motor vehicle by the said Department, which book shall be kept open to the inspection of the public during reasonable office hours.

The Department shall on or before the first day of August, 1917, and on or before the first day of February of each succeeding year thereafter, make out and mail to the clerk of each county court in this State, and to the chiefs of police of every incorporated city in this State, a full and accurate list made up in alphabetical and numerical order of all motor vehicles so registered, stating the distinctive numbers so assigned to them, the name, residence and business address of the owner, manufacturer or dealer, as the case may be; and at the expiration of every sixty days thereafter a similar list of the additional registrations or changes in registration, such list to be kept on file by said county court clerks and by the said chiefs of police in a conspicuous place in their respective offices, and to be open to the inspection of the public during reasonable hours.

Sec. 2. The Department shall furnish without charge with transportation prepaid, to every person whose motor vehicle is registered as required by law, one seal of such size, color, description, shape and material as may be adopted by the said Department for any year, and bearing such description, shape and materials as may be determined by the said Department, which shall be attached and conspicuously displayed at all times upon the front end of such motor vehicle, other than a motorcycle, and said seal to be placed conspicuously on the rear of each motorcycle.

Every owner of a motor vehicle shall keep conspicuously displayed upon the front and back of the motor vehicle, number plates bearing the number assigned to such motor vehicle in the certificate of registration issued by the Department and of the size, descrip-

tion and kind required by the Department, whenever the same shall be driven or used upon the public streets and highways in this State, and shall be firmly attached to such motor vehicle so that they will not swing loosely. The rear number plate shall not be less than sixteen inches from the surface of the ground, and both shall be at all times kept clean and free from grease and dirt; provided that the owner of a motorcycle shall only be required to keep on such motorcycle conspicuously displayed on the rear thereof at all times when the motorcycle is being used on the public streets and highways, the metal plate or marker of such size and description as may be required by the Department, and shall bear the distinctive number assigned by the Department to such owner. The seal above provided for shall be renewed yearly at the time of taking out the registration certificates. The initial number plates to be furnished by the Department—after that by the owners.

Sec. 3. If the said Department shall determine at any time that a motor vehicle is unsafe or improperly equipped, or otherwise unfit to be operated upon the public highways, it may refuse to register such vehicle, and said Department may for a like reason revoke any registration already required.

Sec. 4. No person shall operate or drive a motor vehicle on the public highways of this State unless such vehicle shall have at all times displayed, one on the front and the other on the back thereof, number plates corresponding to the distinctive number assigned to such motor vehicle by the said Department and such number plates to be in conformity with other requirements of said Department.

No person shall attach to or display on such motor vehicle any number plate assigned to it under any other motor vehicle law other than by the Highway Department of this State, or any registration number other than that assigned for the current year, or a fictitious number plate; provided, however, that but one number plate shall be required upon motorcycles and that such number plate upon motorcycle shall be attached to the rear thereof.

All letters, numbers and other identification marks shall be kept clear and distinct and free from grease, dust

or other blurring matter so that they shall be plainly seen at all times during daylight and under artificial light at night time.

Sec. 5. No person shall operate or drive a motor vehicle on the public highways of this State unless such vehicle shall have at all times conspicuously displayed on the front end thereof the seal for the current year assigned to the said motor vehicle by the Highway Department, and no person shall attach to or display on such vehicle any seal assigned to it under any motor vehicle law, or a fictitious seal or a seal not of the current year, provided that the seal assigned a motorcycle shall be attached conspicuously to the rear thereof.

Sec. 6. The registration fee required to be paid upon a motor vehicle shall become delinquent in case of any such vehicle forthwith upon the operation of the vehicle upon the public highways without the registration fee required by law first having been paid to the Department, accompanied by the application for registration provided by said Department.

It is hereby provided, in addition to any and all other penalties, that if at the expiration of thirty (30) days after any registration fee becomes delinquent such fee has not been paid and registration applied for, a penalty shall be added to the amount of such fee in an amount equal to twenty-five per cent of the fee required, and such fee, together with the amount of said penalty, shall be a lien upon the motor vehicle upon which said registration is delinquent, and the department shall have power, and it is hereby made its duty to collect the said registration fee, together with the penalty by seizure of such motor vehicle from the person in possession thereof, if any, and by sale of such motor vehicle. The seizure and sale herein authorized shall be conducted and carried out by the department in the same manner as is provided by law for the seizure and sale of personal property by the county tax collector for the collection of taxes due on personal property.

Sec. 7. Every motor vehicle shall be equipped with a bell, gong, horn, whistle or other device in good working order, capable of emitting an abrupt sound adequate in quality and volume to give warning of the approach of such motor vehicle to pe-

destrians and to the rider or driver of animals, or of other vehicles and to persons entering or leaving street, interurban or railroad cars. Every person operating a motor vehicle shall sound said bell, gong, horn, whistle or other device whenever necessary as a warning of danger, but not at other times or for other purposes.

Sec. 8. (a) Every motor vehicle other than a motorcycle while on the public highways of this State, either in operation or otherwise, during the period of one-half hour after sunset to one-half hour before sunrise, shall carry at the front at least two lighted lamps showing the white lights visible under normal atmospheric conditions at least five hundred feet in the direction toward which such motor vehicle is facing, and shall also carry at the rear a lighted lamp exhibiting one red light plainly visible for a distance of five hundred feet to the rear and so constructed and placed that the number plate carried on the rear of such motor vehicle shall be illuminated by a white light in such manner that the number thereon can be plainly distinguished at a distance of not less than fifty feet toward the rear.

At the times, and under the conditions, in this section hereinbefore specified, all other vehicles except motorcycles and bicycles and such vehicles that may be propelled by pedestrians, shall carry at the left side thereof a lighted lamp visible front and rear and from the left, for a distance of not less than two hundred feet.

(b) At the times and under the conditions hereinbefore specified, in this section, every motorcycle or bicycle, while on the public highway either in operation or otherwise, shall carry on its front one lighted lamp showing a white light visible under normal atmospheric conditions at least two hundred feet in the direction toward which such motorcycle or bicycle is facing and shall also carry at the rear of such motorcycle or bicycle one red light plainly visible from the rear.

Sec. 9. It is hereby provided that the front light or lights of every motor vehicle shall be permanently dimmed so as to prevent any glare therefrom which might interfere with the convenience or safety of use of the highway or shall be so placed that the center rays thereof shall strike

the ground at a distance not to exceed one hundred feet from the front of such vehicle; provided, that nothing in this subdivision shall be construed to render inoperative the provisions of (a) and (b) of Section 8, of this Act, relative to the plain visibility of such light or lights in the direction in which such vehicle may be faced.

Sec. 10. All motor vehicles must be provided at all times when being operated on the public highways with adequate brakes in good working order.

Sec. 11. Other than on vehicles engaged at the time in construction or repair work on roads, no tire on any motor vehicle or any other vehicle shall be permitted to be run or operated on the public highway in this State which has on its periphery any block, lug, stud, cleat, ridge, bead or any other protuberance of metal that shall project more than one-fourth of an inch beyond the tread or traction surface of the tire, unless the said wheels are protected by bands, wooden blocks, skids, or some other sufficient device to protect the highways against injury by reason thereof; provided that this section shall not be construed so as to prohibit the use of traction engines with cleats on the driving wheels thereof on dirt or unimproved roads.

Sec. 12. Every motor vehicle must have devices in good working order which shall be at all times in constant operation to prevent excessive or unusual noises, annoying smoke and the escape of gas, steam or oil as well as the falling out of residue from fuel, and all exhaust pipes carrying exhaust gas from the engine shall be directly parallel to the ground or slightly upward. Devices known as "muffler cut-outs" shall not be used within the limits of any incorporated city or town or on any public highway where the territory contiguous thereto is closely built up.

Sec. 13. No intoxicated person shall operate or drive a motor or any other vehicle upon any public highway in this State.

Sec. 14. No person shall operate a motor vehicle upon the highways of this State without the consent of the owner thereof.

Sec. 15. No person shall employ for hire as a chauffeur of a motor vehicle

any person not licensed as in this Act provided.

No person shall allow a motor vehicle owned by him or under his control to be operated by any person who has no legal right to do so, or in violation of the provisions of this Act.

Sec. 16. No person having control or charge of a motor vehicle shall allow such vehicle to stand in any public street or public highway unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle.

Sec. 17. (a) The driver or operator of any vehicle in or upon any public highway in this State shall drive or operate such vehicle in a careful manner with due regard for the safety and convenience of pedestrians and all other vehicles or traffic upon such highway, and wherever practicable shall travel upon the right hand side of such highway. Two vehicles which are passing each other in opposite directions shall have the right-of-way and no other vehicle to the rear of either of such two vehicles shall pass or attempt to pass such two vehicles. On all occasions the driver or operator of any vehicle on or upon any public highway in this State shall travel upon the right hand side of such highway unless the road on the left hand side of such highway is clear and unobstructed of at least fifty yards ahead.

For the purpose of this section and its subdivisions the term "vehicle" shall also include every draft or riding animal, whether ridden or led, excepting that an animal or animals attached to any conveyance shall, with such vehicle, constitute one vehicle.

(b) Vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other one-half of the road as nearly as possible.

(c) Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left thereof and shall not again drive to the right until the road is reasonably clear of such overtaken vehicle.

(d) It shall be the duty of the driver, rider, or operator of a vehicle about to be overtaken and passed to give way to the right in favor of the overtaking vehicle on suitable and audible signal, given by or on behalf of the operator, driver or other person in charge and control of such overtaking vehicle, if such overtaking vehicle be a motor vehicle.

(e) Excepting where controlled by such traffic ordinances or regulations enacted by local authorities, as are permitted under this Act, the operator of a vehicle approaching an intersection on the public highway shall yield the right-of-way to a vehicle approaching such intersection from the right of such first named vehicle.

(f) It shall be the duty of the person operating or in charge of an overtaking vehicle to sound audible and suitable signal before passing a vehicle proceeding in the same direction.

(g) All vehicles approaching an intersection of the public highway with the intention of turning thereat, shall, in turning to the right, keep to the right of the center of such intersection and in turning to the left, shall run beyond the center of such intersection, passing to the right before turning such vehicle to the left.

(h) In all passing and overtaking, such assistance shall be given by the occupants of each vehicle respectively to the other as the circumstances shall reasonably demand in order to obtain clearance and avoid accident.

(i) Every person having control or charge of any motor vehicle or other vehicle upon any public highway and approaching any vehicle drawn by horse or horses, or any horse upon which any person is riding, shall operate, manage and control such motor vehicle or other vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of any such horse or horses and to insure the safety of any person riding or driving the same; and if such horse or horses appear frightened, the person in control of such motor vehicle or other vehicle shall reduce its speed, and if requested by signal of the hand or otherwise by the driver or rider of such horse or horses, shall not proceed further toward such animal or animals unless such movement be necessary to avoid injury or accident, until such animal or animals shall be under the control of the rider or driver thereof.

(j) The person in control of any vehicle moving slowly along upon any public highway shall keep such vehicle as closely as possible to the right hand boundary of the highway, allowing more swiftly moving vehicles reasonably free passage to the left.

(k) The person in charge of any

vehicle in or upon any public highway, before turning, stopping or changing the course of such vehicle, shall see first that there is sufficient space for such movement to be made in safety, and if the movement or operation of other vehicles may reasonably be affected by such turning, stopping or changing of course, shall give plainly visible or audible signal to the person operating, driving or in charge of such vehicle of his intentions so to turn, stop or change said course.

(l) In passing any railroad, interurban or street car while passengers are alighting from or boarding the same, vehicles shall be operated with due care and caution so that the safety of such passengers shall be protected and for that purpose said vehicle shall be brought to a full stop, if reasonably necessary to obtain the object of this subdivision.

(m) Every motor vehicle, when moving along such portions of the road where the curvature of the road or highway prevents a clear view for a distance ahead of one hundred yards, shall be held under control and not permitted to coast, and the operator thereof in approaching curves or sharp turns in the road shall give a warning by his gong or other adequate signaling device.

(n) Police patrols, police ambulances, fire patrols, fire engines and fire apparatus in all cases while being operated as such, shall have the right of way with due regard to the safety of the public; provided, that this provision shall not protect the driver or operator of any such vehicle or his employer or principal from the consequences of the arbitrary exercise of this right to the injury of another.

Sec. 18. It shall be unlawful for any person to drive a motor vehicle or motorcycle across the track or tracks of any steam or interurban railway company in this State, where a highway crosses such track or tracks at grade, without first bringing said motor vehicle or motorcycle to a full stop within seventy-five feet of the nearest rail of such track or tracks, unless there are flagmen or gates at such crossing and such flagmen or gates show the way is clear and safe to cross such track or tracks; and provided further, that the provisions of this Section shall not apply to persons crossing interurban or street

railway tracks within the limits of incorporated cities or towns within this State.

Sec. 19. Whenever an automobile, motorcycle or other motor vehicle whatsoever, regardless of the power by which the same may be propelled or drawn, strikes any person or collides with any vehicle containing a person, the driver of, and all persons in or on such automobile, motorcycle, motor vehicle or other vehicles shall stop and shall render to the person struck or to the occupants of the vehicle collided with all necessary assistance, including the carrying of such persons or occupants to a physician or surgeon for medical or surgical treatment, if such treatment be required, or if such carrying is requested by the person struck or any occupant of the vehicle collided with; and such driver and person having or assuming authority of such driver shall further give to the occupant of such vehicle or person struck, if requested at the time of such striking or collision or immediately thereafter, the number of such automobile, motorcycle or motor vehicle, also the name of the owner thereof and his address, the names of the passenger or passengers not exceeding five in each automobile or other vehicle, together with the address of each one thereof. Any person violating any of the provisions of this Section is punishable by imprisonment in the State penitentiary not to exceed five years or in the county jail not exceeding one year or by fine not exceeding five thousand dollars, or by both such fine and imprisonment.

Sec. 20. No race or contest for speed either on a bet or wager shall be held upon any public highway in this State.

Sec. 21. Every person operating or driving a motor or other vehicle on the public highways of this State shall operate or drive the same in a careful and prudent manner, and at a rate of speed not greater than is reasonable and proper, having regard to the traffic and use of the highway, and no person shall operate or pass a motor or other vehicle on a public highway at such rate of speed as to endanger the life or limb of any person or the safety of any property; provided that it shall be unlawful to drive at a rate of speed in excess of thirty miles per hour; and

provided further that in any event no person shall operate or drive a motor or other vehicle on any public highway where the territory contiguous thereto is closely built up at a greater rate of speed than eighteen miles per hour or in the business district of any town or incorporated city at a greater rate of speed than fifteen miles per hour, or at a greater rate of speed than six miles per hour where the operator or chauffeur's view of the road traffic is obstructed either upon approaching an intersecting way, or in traversing a crossing or intersection of ways, or in approaching or crossing a bridge, dam, trestle, causeway or viaduct or in going around corners, or a curve in a street or highway. It shall be the duty of each and every person operating or driving a motor or other vehicle on the public highways of this State, which terms shall and do include all roads in cities, towns and villages to exercise great care and caution in the use thereof, and to especially avoid injury and accident to pedestrians who may be walking upon or across such highways, and if it shall be evident to the person operating or driving such vehicle that a continuation of his course or of the rate of speed at which he is operating or driving such vehicle will endanger such pedestrian or make it possible to strike or injure him, he shall immediately take such precautions as may be necessary to avoid such danger, either by decreasing his speed, stopping the vehicle, or otherwise as the conditions demand. And it shall not be sufficient excuse that he gave warning of his approach by using his bell or gong, whistle or otherwise.

Sec. 22. In the case of any person arrested for violation of the provisions of the last preceding sections of this Act, unless such person shall demand that he be taken forthwith before the most accessible magistrate, the arresting officer shall take the name and address of such person and the names of his motor vehicle and notify him in writing to appear before a designated magistrate at a time and place to be specified in such writing at least five days subsequent to the date of such notice, and upon the promise in writing of such person to appear at such time and place such officer shall forthwith release him from custody.

Any person wilfully violating such

promise shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested, and upon conviction thereof shall be fined in any sum not to exceed one hundred dollars (\$100.00).

Sec. 23. Limitations as to the rate of speed herein fixed by this Act shall be exclusive of all other limitations fixed by any law of this State, or of any political subdivision thereof and local authorities, cities and towns shall have no power to pass, enforce or maintain any ordinance, rules or regulations in any way in conflict with or inconsistent with the provisions of this Act, and no such ordinance, rules or regulations of such local authorities now in force, or hereafter enacted shall have any force excepting, however, that

(1) Such powers as are now or may hereafter be vested in local authorities to enact ordinances or regulations applicable equally or generally to all vehicles and other users of highways, and providing for traffic or crossing officers or semaphores to bring about the orderly passage of vehicles and other users of the public highways or certain portions thereof where the traffic is heavy and continuous, and

(2) The powers now or hereafter vested in local authorities to license and regulate the operation of vehicles offered to the public for hire; and to regulate the use of the highways for processions and assemblages, shall remain in full force and effect and all ordinances, rules and regulations which may be hereafter enacted in pursuance of such powers, shall remain in full force and effect.

Sec. 24. (a) In case of the arrest three times within a period of sixty (60) days of any person for the violation of Section 21 of this Act regulating the speed of vehicles upon the highways, followed by the conviction of such person upon each of such charges; or in case of two arrests and convictions of such persons within a period of sixty (60) days for the violation of Section 13 of this Act, relating to intoxicated persons, the Department shall forthwith revoke the license of such person to operate a motor vehicle on the public highways of this State, in case such violations occur in connection with the operation of a motor vehicle.

Upon so revoking the license the

Department shall forthwith send notice of such revocation to the operator and to the local police authorities, and shall make demand upon the operator for the return to the Department of the license certificate theretofore issued to him, and of the badge in case of a chauffeur. It shall be the duty of the operator to return such license certificate, and of a chauffeur to return also his badge in compliance with the demand so made. The Department shall not again issue any such license to such person until the expiration of six months from the date of the last conviction of such person as hereinabove provided for, and it shall be unlawful for such person so convicted to operate or drive any motor vehicle or motorcycle upon the public highway anywhere within this State during a period of six months after the date of the last conviction.

(b) In addition to all of the punishments provided in this Act, the court may for a period not to exceed forty days, suspend an operator or chauffeur's license upon such conviction of the licensee for violation of any of the provisions of this Act.

Sec. 25. An application for a license to operate a motor vehicle as a chauffeur (and by "chauffeur" is meant any person who operates a motor vehicle for compensation, wages or hire), shall be made by mail or otherwise to the Department upon blanks prepared for such purpose, and shall be accompanied by an annual fee of \$3.00, provided that the first fee payable under this Act shall be \$2.00 for the period of time expiring December 31, 1917, and said fee shall be payable on July 1, 1917, and thereafter on the first of January of each year there shall be paid by each chauffeur to the Department a fee of \$3.00, accompanied by the application, as herein provided for. The application for license to be issued to a chauffeur shall be in conformity with the requirements prescribed by the Department, and shall be sworn to by the applicant, and shall also, after being sworn to, be endorsed and vouched for by two reputable citizens of the place where the said applicant lives or resides at the time of making such application, setting forth that they have known or been acquainted with the applicant for a period of not less than sixty days prior thereto, and that the said applicant is trustworthy, sober and competent to operate motor vehicles upon the high-

ways of this State. Upon the receipt of such application, and provided the Department is satisfied that the applicant is a proper party to whom a chauffeur's license should be issued, and is over eighteen years of age, they shall issue to him a distinguishing number or mark and shall also issue to him a license certificate in such form as the Department may determine; it may contain special restrictions and limitations concerning the type of motor car, horsepower, design and other features of the motor vehicles which the licensee may operate. It shall contain the distinguishing number or mark assigned to the licensee, his name, age, place of residence and address, and such other matter as the Department may decide to put in the same. Such distinguishing number or mark shall be of a distinctly different color each year and each year shall be of the same color as that of the seals issued by the Department for the use of owners of motor vehicles.

At the time of issuing said certificate to the chauffeur the department shall also mail or deliver to him a metal badge to be at all times prominently displayed on his clothing when engaged in the operation of motor vehicles on the public highways or in prosecuting his said business.

Upon the receipt of such applications to be licensed as a chauffeur the department shall record the same in the office in a book kept for that purpose in the manner designated for recording the registrations of the owners of motor vehicles, and when the department has issued license certificate and assigned to him a badge number such applicant's name shall be noted in said records; and the names of the licensed chauffeurs shall be furnished to the county clerks and chiefs of police of the cities of this State in the same manner as is provided with respect to the owners of motor vehicles.

Sec. 26. No person shall operate or drive a motor vehicle as a chauffeur upon public highway in this State unless such person shall have complied in all respects with the requirements of this Act, and shall at all times have in his possession his certificate or license, and wear the badge issued to him by the department prominently displayed on his clothing, and failure on the part of such chauffeur to perform either or

all of the acts hereinbefore prescribed shall constitute a misdemeanor, and upon conviction thereof he shall be punished by fine not to exceed one hundred (\$100) dollars; provided that if it shall be made to appear to the satisfaction of the department that any chauffeur shall have driven or operated a motor vehicle within this State while under the influence of intoxicating liquor during the period of such license, the department shall thereupon immediately cancel the license of said chauffeur and shall not renew the same until after the expiration of six months from and after the date of such cancellation.

Sec. 27. The badge issued to the chauffeur by the department shall be valid only during the term of the license of the chauffeur to whom it is issued. Upon filing in the office of the department an affidavit to the effect that the original badge is lost, stolen or destroyed, and upon the payment of the fee of one (\$1.00) dollar, a duplicate badge will be furnished.

No chauffeur having been licensed as herein provided shall permit any other person to possess or use his license or badge; nor shall any person while operating or driving a motor vehicle use or possess any license or badge belonging to another person, or a fictitious license or badge, and any violation of this section of the Act shall constitute a misdemeanor punishable by fine not to exceed one hundred (\$100) dollars.

Sec. 28. Upon the receipt of an application for a chauffeur's license the department shall thereupon file the same and register the application in a book or on index card which shall be kept in the same manner subject to public inspection as the books or index cards for the registration of motor vehicles.

Sec. 29. No person shall use a fictitious name in applying for chauffeur's license; nor shall any chauffeur voluntarily allow any other person to possess or use his license certificate or badge; nor shall any person while operating or driving a motor vehicle use or possess any license certificate or badge belonging to any other person or a fictitious certificate or badge.

Sec. 30. No person shall operate or drive a motor vehicle as a chauffeur

feur upon a public highway in this State after the first day of July, 1917, nor shall any owner of a motor vehicle permit such vehicle to be so operated or driven after such date unless the requirements of this Act shall have been in all respects complied with.

Sec. 31. Any person who shall drive or operate or cause to be driven or operated upon any public highway in this State any motor vehicle not his own, without intent to steal the same, in the absence of the owner thereof, and without such owner's consent, shall be guilty of a misdemeanor, and shall be punishable by confinement in the county jail for a period not to exceed twelve months or by fine not to exceed one thousand (\$1,000) dollars, or by both such imprisonment and fine.

Sec. 32. Any person who throws or deposits any glass bottles, glass, nails, tacks, hoops, wire, cans or any other substance likely to injure any person, animal or vehicle upon any public highway shall be guilty of a misdemeanor, and upon conviction thereof shall be punished with fine not to exceed five hundred (\$500) dollars, or by imprisonment in the county jail not to exceed six months, or by both such imprisonment and fine.

Sec. 33. Any person who shall individually or in association with one or more others, wilfully break, injure or tamper with any part or parts of any motor vehicle, for the purpose of injuring, defacing or destroying such vehicle or temporarily or permanently preventing its useful operation, or for any other purpose, against the will and without the consent of the owner of such vehicle, or in any other manner wilfully or maliciously interfere with or prevent the running or operation of such vehicle, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not to exceed one thousand (\$1,000) dollars, or by imprisonment in the county jail not to exceed twelve months, or by both such fine and imprisonment, provided that when such offense comes within the definition of theft of the grade of felony then this Section of this Act shall not be applicable.

Sec. 34. Any person who shall without consent of the owner or person in charge of the motor vehicle,

climb upon or in such vehicle, whether the same be in motion or at rest, or should while such vehicle is at rest and unattended, attempt to manipulate any of the levers, starting crank or other device or to set said vehicle in motion, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed one hundred (\$100.00) dollars, or by imprisonment in the county jail for a period of sixty days, or by both such fine and imprisonment.

Sec. 35. If any driver or operator of a motor vehicle or motorcycle upon the public highways of this State shall wilfully, or with gross negligence, collide with, or cause injury to any other person upon such highway, he shall be held guilty of aggravated assault and shall be punished accordingly, unless such injuries result in death, in which event said party so offending shall be dealt with under the general law of homicide.

Sec. 36. Excepting as in this Act otherwise expressly provided any person violating any of its provisions shall be deemed guilty of a misdemeanor, and upon conviction thereof, unless in this Act otherwise expressly provided, shall be punished by fine not to exceed one hundred dollars (\$100.00) for the first offense; and shall be punishable by fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or by imprisonment for not exceeding thirty days, or by both such fine and imprisonment for the second offense; and shall be punishable by fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), or by imprisonment for not exceeding sixty days, or both, for a third or subsequent offense.

Sec. 37. The fines collected for violations of any of the provisions of this Act shall be used by the municipality or the counties to which the same are payable in the construction and maintenance of roads, bridges and culverts in the city or county where such convictions are had.

Sec. 38. A full record shall be kept by every justice of the peace, police judge or court in this State of every case in which a person is convicted of the violation of any of the provisions of this Act, and an abstract of such record shall be sent

forthwith by the said justice of the peace, police judge or court to the Highway Department.

Sec. 39. Said abstract shall be made upon forms prepared by the department, and shall include all necessary information of parties in the case, the nature of the offense, the judgment of conviction and such other facts as may be called for by the said department, and such abstracts shall be duly certified. The said department shall keep records in its office, and they shall be open to the inspection of any person during reasonable business hours.

Sec. 40. The provisions of this Act defining certain offenses and prescribing penalties therefor, shall be cumulative of all existing laws now in force relative to the subjects to which they relate.

Sec. 41. Wherever the word "Department" is used in this Act it is meant the Highway Department of this State. "Motor vehicles" wherever used in this Act shall include all vehicles propelled otherwise than by muscular power, except such vehicles that run upon rails or tracks. "Automobile" as used includes all motor vehicles except motorcycles. "Motorcycle" as used in this Act shall include all motorcycles designed to travel on not more than three wheels in contact with the ground.

Sec. 42. If any section, subsection or clause of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of any of the remaining portions of this Act.

Sec. 43. The Highway Department of this State shall, as soon as practicable after the passage of this Act, cause to be printed in pamphlet form one hundred and fifty thousand copies of this Act, including therein all the other laws of this State regulating the use of public highways in this State by motor vehicles and other vehicles, together with all the laws fixing penalties regarding the same, which shall be distributed on demand without charge. When such supply is exhausted the department shall cause such additional copies thereof to be printed from time to time as may be found necessary. The department shall mail a copy of such pamphlet to each motor vehicle owner and chauffeur at the time it mails out to him the certificate of

registration or license provided for in this Act.

Sec. 44. This Act shall become operative on the first of July, 1917.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 135, A bill to be entitled "An Act amending Article 2939, Chapter 4, Title 49, Revised Civil Statutes of Texas of 1911, and to regulate elections and prescribing certain qualifications of voters thereat, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal only.

Dayton, Chairman; Decherd, King, Page, Johnston of Harris, Buchanan of Bell, Bailey.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 256, A bill to be entitled "An Act to amend Articles 2913 and 2914 of Chapter 1, Articles 2921, 2925 and 2926 of Chapter 2, and Articles 3086, 3088, 3089, 3121 and 3122 of Chapter 10, Title 49, Revised Civil Statutes of Texas, 1911, so as to limit the size of an election precinct and the number of voters therein," etc.,

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

Dayton, Chairman; Decherd, King, Page, Johnston of Harris, Bailey, Buchanan of Bell.

By Johnston of Harris. S. B. No. 256.

A BILL
To Be Entitled

An Act to amend Articles 2913 and 2914 of Chapter 1; Articles 2921,

2925 and 2926 of Chapter II, and Articles 3086, 3088, 3089, 3121, and 3122 of Chapter X, Title 49, Revised Civil Statutes of Texas, 1911, so as to limit the size of election precincts and the number of voters therein; to change the time for the opening and closing of the polls at primary elections; to provide for the return of unused election supplies and for the making of returns of the votes cast in primary elections; to change the dates upon which primary elections shall be held; to regulate the compensation of election officers in primary and final elections, and to expedite the making of election returns and the publicity thereof.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 2913 and 2914 of Chapter I; Articles 2921, 2925 and 2926 of Chapter II, and Articles 3086, 3088, 3089, 3121 and 3122 of Chapter X, Title 49, Revised Civil Statutes of Texas, 1911, be and the same hereby are amended so as hereafter to read as follows:

Section 2913. The commissioners court of each county may, if they deem it proper, at each August term of the court, divide their respective counties, and counties attached thereto for judicial purposes, into convenient election precincts, each of which shall be differently numbered and described by natural or artificial boundaries or survey lines by an order to be entered upon the minutes of the court. They shall immediately thereafter publish such order in some newspaper in the county for three consecutive weeks. If there be no newspaper in the county, then such copy of such order shall be posted in some public place in each precinct in the county. No election precinct shall be formed out of two or more justice precincts, nor out of the parts of two or more justice precincts. No election precinct shall contain more than three hundred and fifty poll tax payers as shown by the records of the county.

Article 2914. Every ward in every incorporated city, town or village shall constitute an election precinct, unless it shall contain more than three hundred and fifty poll tax payers as shown by the records of the county. Cities and towns and towns and villages incorporated under the

general laws shall not necessarily constitute election precincts; and no precinct shall be made out of parts of two wards. Provided, that this article shall not apply to cities, towns and villages of less than ten thousand inhabitants; and, in such cities, towns and villages, the justice precincts in which said cities, towns and villages are situated may be divided into election precincts without regard to the wards of such cities, towns and villages, but no precinct shall contain more than three hundred and fifty poll tax payers as shown by the records of the county.

Article 3088. The polls at primary elections shall be open at seven o'clock in the morning and closed at six o'clock in the evening of the same day, and the election shall be held for one day only.

Article 3121. Returns shall be made within four days to the chairman of the executive committee by the precinct judges, of the ballot boxes containing the ballots voted, locked and sealed, tally sheets, unused return sheets, ballots mutilated and defaced, and ballots not voted, for which he shall account to the executive committee of the county.

Article 3122. When the ballots have all been counted, the manager of the election in person shall make out triplicate returns of the same, certified to be correct and signed by the judges and clerks of the election officially, showing: First, the total number of votes polled at such box; second, the number polled for each candidate and for and against each proposition that may appear upon the ballot; one of which returns shall be sealed up in an envelope and delivered by one of the precinct judges to the county clerk of the county, who shall open it and keep such copy of the returns in his office, open to inspection by the public and especially by representatives of newspapers, for twelve months from the day of the election; another of said returns shall be sealed up in an envelope and delivered by one of the precinct judges to the chairman of the county executive committee of the party; and the other of said returns shall be kept by the presiding officer of the election for twelve months from the day of the election, open to inspection by the public and especially by newspaper

representatives. It shall further be the duty of said party chairman to give notice to the members of the county executive committee to assemble at the county seat of the county on the first Saturday after the primary election, at which time the said returns delivered to the county chairman shall be opened under the direction of such executive committee and canvassed by them.

Article 3086. The first Tuesday after the fourth Saturday in July in the year 1918, and every two years thereafter, shall be the legal primary election day, and primary elections to nominate candidates for a general election shall be held on no other day, except when specially authorized. Any political party may hold a second primary election on the first Tuesday after the fourth Saturday in August to nominate candidates for a county or precinct office, where a majority vote is required to make a nomination; but, at such second primary, only the two candidates who received the two highest votes at the first primary for the same office shall be voted for. Nominations of candidates to be voted for at any special election shall be made at a primary election at such time as the party executive committee shall determine, but no such committee shall ever have the power to make such nominations; provided, that all precincts in the same county and all counties in the same district shall vote on the same day. Nominations of party candidates for offices to be filled in a city or town shall be made not less than ten days prior to the city or town election at which they are to be chosen, in such manner as the party executive committee for such city or town shall direct, and all laws prescribing the method of conducting county primary elections shall apply to them.

Article 2921. For every precinct in which there are one hundred male citizens or more who have paid their poll tax or received their certificates of exemption, the commissioners court shall appoint four judges of election, who shall be chosen when practicable from opposing political parties, one of whom shall be designated as presiding judge. The presiding and one associate judge shall act in receiving and depositing the votes in the ballot box, and the other

two judges shall act in counting the vote cast. The presiding judge shall appoint four competent and reputable clerks who have paid their poll tax, and of different political parties, when practicable; two of said clerks shall assist in keeping poll lists and the list of qualified voters; upon the poll lists they shall write the name and number of each voter, and at the time voted. Two clerks shall be canvassing clerks, who shall keep tally lists of votes counted and perform such other duties as the presiding judge may direct. At the close of the canvassing, and during its progress, the tally clerks shall compare their tally lists and certify officially to their correctness. Provided, that in all elections held under the provisions of this title, other than general elections, local option elections and primary elections, the officers to be appointed by the commissioners court to hold said elections shall be a presiding judge, an assistant judge and two clerks, whose compensation shall be four dollars each for each such election and no more and two dollars to the presiding judge extra for making return of the election.

Article 2925. Judges and clerks of general and special elections shall be paid four dollars each for each such election and no more; and the judge who delivers the returns of election, immediately after the votes have been counted, shall be paid two dollars for that service; provided, the polling place of his precinct is at least two miles from the courthouse, and provided, also, he shall make returns of all election supplies not used when he makes return of the election.

Article 2926. The compensation of judges and clerks of general and special elections shall be paid by the county treasurer of the county where such services are rendered, upon the order of the commissioners court of such county.

Article 3089. All the precinct primary elections of a party shall be conducted by a presiding judge, to be appointed by a chairman of the county executive committee of the party, with the assistance and approval of at least a majority of the members of the county executive committee. Such presiding judge shall select an associate judge and two clerks to assist

in conducting the election; two supervisors may be chosen by any one-fourth of the party candidates, who, with the judges and clerks, shall take the oath required of such officers in general elections. Two additional clerks may be appointed, but only when, in the opinion of the presiding judge, there will be more than one hundred votes polled at the primary election in the precinct. No one shall serve as judge, clerk or supervisor at a primary election unless he has paid his poll tax. Each judge and clerk shall be paid four dollars for each such primary election and no more.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 428, A bill to be entitled "An Act to amend Articles 7828, 7829, 7831 and 7833 of Chapter 2, Title 132, of the Revised Civil Statutes of the State of Texas, 1911, so as to provide for the election and appointment of public weighers for election precincts in the place of justices' precincts, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

Dayton, Chairman; Decherd, King, Page, Johnston of Harris, Buchanan of Bell, Bailey.

By Caldwell.

S. B. No. 428.

A BILL To Be Entitled

An Act to amend Articles 7828, 7829, 7831 and 7833, of Chapter 2, Title 132, of the Revised Civil Statutes of the State of Texas of 1911, so as to provide for the election and appointment of public weighers for election precincts in place of justices' precincts, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 7828, 7829, 7831 and 7833 of Chapter 2,

Title 132, of the Revised Civil Statutes of the State of Texas of 1911, be so amended as to hereafter read as follows:

Article 7828. The Governor is authorized and required to appoint five persons as public weighers in every city in this State, which receive annually one hundred thousand bales of cotton on sale or for shipment. In all counties in this State in which there are no city or cities in which the Governor is authorized to appoint public weighers, the commissioners court of said county may upon their own motion, and shall, when presented with a petition signed by a majority of the qualified voters of any election precinct in their county, praying for the appointment or election of a public weigher, or weighers, for said election precinct, appoint or order to be elected at the next general election one or more suitable persons for public weighers for said election precinct, the number of weighers for any precinct to be determined by said commissioners court; and, should they appoint a public weigher for said election precinct, he shall hold his office until the next general election, when there shall be elected for said election precinct his successor, a public weigher, in the manner and form governing the election of other precinct officers; provided, the majority of the qualified voters shall be determined by a comparison with the whole number of votes cast at the last general election in such election precinct for the office of Governor; and it is further provided, that no person shall be elected or appointed a public weigher unless he shall be a qualified elector in the city or election precinct for which he is appointed or elected. All public weighers appointed by the Governor or elected for any election precinct shall hold their office for the term of two years, and until their successors are appointed or elected, as the case may be, and qualified, subject to removal for misconduct or incompetency in office; provided, no person shall be appointed or elected public weigher or deputy public weigher who is interested in the purchase or sale of cotton, sugar or grain to be weighed, either as principal, agent, factor, commission merchant or employe; provided, further, that the commissioners court may unite two

or more election precincts for the purpose of electing public weigher or weighers; and provided further, that where any public weigher or weighers are to be elected in any city or town which is located in two or more election precincts, the commissioners court shall combine all election precincts in which such city or town is located, and may also combine therewith such other election precincts as the commissioners court may see proper for the purpose of electing public weigher or weighers; and provided further, that the commissioners court shall, in no instance, combine two or more election precincts located in different justices' precincts or combine two or more election precincts in which are located two or more incorporated cities or towns for the purpose of electing a public weigher or weighers; and provided further, that when the people of any county or weighers' subdivision thereof that has an elective weigher may wish to abolish said office of public weigher, the commissioners court of said county shall, upon petition to abolish said office signed by qualified voters at least one-third in number, of the whole vote cast for Governor at the last preceding election, in the county or weighers' precinct, as the case may be, order an election to decide whether such office of public weigher of the county or weighers' precinct shall be abolished or not. Said election shall be held in the same manner as other elections, and if the majority of the voters of the county or subdivision of the county ordering said election shall be cast in favor of abolishing said office of public weigher, the commissioners court shall declare such office to be abolished within thirty days after the election. And another election for the purpose of creating said office of public weigher shall not be held for two years within such county or subdivision so abolishing said office by an election. After the office of public weigher has been declared abolished the commissioners court shall not have the authority on their own motion to appoint or order to be elected any public weigher or weighers for any election precinct or precincts which have by a vote of the people abolished said office; provided, that after two years a public weigher or weighers shall be appointed or elected for

such precinct or precincts, as the case may be, on petition of a majority of the qualified electors of such precinct or precincts, as the case may be.

Article 7829. Every person appointed or elected public weigher shall take the oath of office prescribed by the Constitution for other officers, and shall execute a bond with good and sufficient sureties in the sum of five thousand dollars, to be approved by the commissioners court of the county, and payable to the county judge, or his successors in office, conditioned upon the faithful and impartial performance of the duties of the office; provided, the bond for the public weigher in any election precinct or precincts shall be two thousand five hundred dollars, where not over five thousand bales of cotton are received for sale or shipment; provided, further, that the commissioners court shall be authorized to accept as surety on such bond any surety company or corporation having a permit in this State to execute indemnity bonds.

Article 7831. The public weigher who shall have been appointed or elected under the provisions of this Title, after they have taken the oath of office and their bond shall have been approved and recorded in the same manner as the bonds of county officers, shall have power and authority to appoint as many deputies as may be necessary to enable them to expeditiously weigh all cotton, wool, sugar, hay and grain offered to be weighed in the cities and election precinct or precincts for which they are elected or appointed; provided, that no public weigher shall appoint deputies for any place or places not situated in the city or election precinct or precincts for which he is elected or appointed. The public weigher for any election precinct or precincts shall, on request of twenty bona fide citizens of any town, railroad station or other place in his precinct, who are engaged in the buying or selling of cotton, wool, sugar, hay or grain, appoint a deputy for such town, railroad station or other place. The deputies of public weighers shall take the oath required of their principals, and their principals may require of them a bond with good and sufficient sureties in the sum of fifteen hundred dollars, to be approved by said principals and

payable to said principals, and conditioned for the faithful performance of their duties; and the said principals shall have the right to recover, in any court having jurisdiction, satisfaction on said bonds for any damages sustained by reason of said deputy or deputies failing to properly perform the duties of their office.

Article 7833. It shall not be lawful for any factor, commission merchant, or any other person or persons to employ any other than a public weigher or his deputies to weigh cotton, wool, sugar, hay or grain, or other produce, sold or offered for sale in any city or election precinct or precincts having a public weigher duly qualified; and any person or persons violating the provisions of this Article shall be liable at the suit of the public weigher of such city or election precinct or precincts as the case may be to damages in any sum not less than five dollars for each bale of cotton, bale or sack of wool, ton of hay or ton of grain, so unlawfully weighed, to be recovered in any court having jurisdiction thereof.

Sec. 2. The importance of the subject matter involved in this Act and the crowded condition of the calendar and the near approach of the end of the session create an emergency, and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days in each house be suspended, and it is so suspended, and that this Act be in force and effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 269, A bill to be entitled "An Act to define and regulate junk dealers,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

Lattimore, Johnson, McNealus,
Strickland, Floyd, Gibson.

By Lattimore.

S. B. No. 269.

A BILL
To Be Entitled

An Act to define junk dealers; to require such dealers to give bond, prescribing the conditions of such bond; to require such dealers to take bill of sale from each seller; to forbid the purchase of certain articles by such dealers from minors or in the night time; to prescribe penalties, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That any person, firm or corporation who shall be engaged in buying second-hand electric light fixtures, wires or globes, plumbing fixtures or supplies of any description whatsoever, copper wire, iron or lead pipe, melted copper or lead, or other second-hand fixtures appertaining to a residence or business house, shall be deemed a junk dealer.

Sec. 2. Every junk dealer is hereby required, at the time of purchase, to take from the seller of any of the articles named in Section 1 of this Act a written bill of sale signed and acknowledged by the seller before some officer authorized by law to take acknowledgments to deeds and such officer shall make record of such acknowledgments in his notarial record. Such bill of sale shall describe the articles sold and give the name and address of the seller and shall be filed by such junk dealer with the county clerk of the county in which such junk dealer has his place of business within twenty-four hours after its receipt by him.

Sec. 3. It shall be unlawful for any junk dealer to purchase any of the articles named in Section 1 of this Act from any person under the age of twenty-one years or to purchase any such article in the night time.

Sec. 4. No such dealer shall receive from any common carrier or by other method of transportation any of the articles named in Section 1 of this Act, from any person, firm or corporation without having delivered to him at the same time, or prior thereto, the bill of sale for such articles, as required by Section 2 of this Act.

Sec. 5. Every junk dealer is hereby required to make bond in the sum

of three thousand dollars, with two or more good and sufficient sureties who reside in the county of the place of business of such dealer, or with a solvent surety company authorized to do business in this State, payable to the county judge of the county of the place of business of such dealer, and to his successors in office for the benefit of all persons entitled to recover thereon by reason of a breach of any of its conditions. The condition of such bond shall be that such junk dealer will not purchase any of the articles named in Section 1 of this Act without, at the time of purchase, taking a bill of sale as required by this Act; that he will file said bill of sale with the county clerk within the time specified by this Act; that he will not purchase any such article from any person under the age of twenty-one years nor in the night time.

Sec. 6. Such bond shall be approved by the county judge and filed in the county clerk's office of the county of the place of business of such dealer, in which county any person claiming to have been damaged by a breach of its conditions may maintain suit thereon; provided that such bond shall not become void by reason of a first recovery thereon, but may be sued upon until the amount thereof is exhausted; provided, however, that when said bond, by suits of recovery thereon, has been reduced to fifteen hundred dollars said dealer shall be required to give a new bond as in the first instance.

Sec. 7. Any junk dealer who fails to comply with any of the provisions of this Act, and his bondsmen, shall be liable to any owner of the property purchased by such dealer for the value of such property and in addition thereto to a penalty of not less than fifty nor more than five hundred dollars, to be recovered by such owner in a suit filed for the value of such property and for said penalty.

Sec. 8. Any junk dealer who shall violate any of the provisions or requirements of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment in the county jail for any term not more than one year, or by both such fine and imprisonment.

Sec. 9. The fact that the indis-

criminate purchase of junk promotes much petty thievery and causes great damage to owners of vacant houses and there is no law in this State regulating such sales and protecting the public, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect from and after its passage, and it is so enacted.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 98 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 287 carefully compared and report it correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 471 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 464 carefully compared, and report it correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 126 carefully compared, and report it correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 456 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 395 and find it correctly enrolled, and have this day at 3:35 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Hall.

S. B. No. 395.

A BILL To Be Entitled

An Act to define and construe an Act approved March 16, 1907, being Chapter 26 of the Special Laws of the Thirtieth Legislature, and amendments thereto, by an Act approved September 1, 1910, being Chapter 1 of Special Laws of fourth session of Thirty-first Legislature, 1910; authorizing the County of Galveston to build and construct a causeway and to issue bonds therefor; defining and construing the intention of said Acts to be that an issue of bonds and levy of tax by said county for such purpose can be made whenever said causeway needs reconstruction in whole or in part or needs repairs; declaring the object and intent being to provide the State of Texas at all times with suitable access to Port of Galveston.

And the further purpose of this Act is to validate an issue to be made of \$600,000.00 of bonds, a second issue for construction of causeway lost in storm of August, 1915; that issue of bonds being under the terms and provisions of said Act as amended, so as to authorize the issue of said bonds in conformity with the provisions of the Constitution of this State, in-

cluding Article 3, Section 52; declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the special Act of March 16, 1907, being Chapter 26 of Special Acts of the Thirtieth Legislature and amendments approved September 1, 1910, being Chapter 1 of the Fourth Called Session of the Thirty-first Legislature, authorizing the building of a causeway and issuance of bonds therefor by the County of Galveston, is to be construed and hereby is construed to mean and intend that an issue of bonds by said county as provided in the Act can be made whenever the said causeway has to be reconstructed in whole or in part or repaired, the object and intent being to provide the State of Texas at all times with suitable access by causeway, combination road and bridges to the Port of Galveston.

Sec. 2. The six hundred thousand dollar (\$600,000.00) bond issue by the County of Galveston for rebuilding the causeway lost in storm, to be issued under the provisions of said Act and amendments thereto set out in Section 1 hereof, and to be issued under the resolutions of the Board of County Commissioners of Galveston County, the special election of February 14, 1917, being by vote of 1338 votes for and 79 votes against said issue of the vote of the qualified taxpaying voters of said county voting at said election, is hereby declared and enacted to be a valid, legal issue of bonds and a duly and legal issue, and said issue is hereby ratified and confirmed as a valid subsisting issue of bonds of said county in conformity with the provisions of the Constitution of this State, including Article 3, Section 52.

Sec. 3. Nothing contained in this Act, or in any Act of which this is an amendment, shall prevent the County of Galveston from issuing under any general law of this State bonds in any amount not to exceed one-fourth of the assessed valuation of real property of such county for the purpose of construction, maintaining and operating macadamized, graveled or paved roads or turnpikes in said county, including the road or causeway hereinbefore referred to.

Sec. 4. Whereas, the public interest requires the speedy construction of the causeway across Galveston Bay, the same being necessary

for the maintenance of part of the system of public roads of the County of Galveston, which creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so ordered, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 442 and find it correctly enrolled, and have this day at 3:35 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By King.

S. B. No. 442.

An Act to amend Section 53 of Article 1121, Title 25, Chapter 2, of the Revised Civil Statutes of the State of Texas, adopted in 1911, by extending the present charter powers of terminal railways so that when such terminal railways are adjacent to any inland stream or water body, they shall have the right to construct, erect, operate and maintain all necessary and convenient facilities to accommodate and handle the exchange of freight and passenger traffic with any and all vessels and water craft using such waterway; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 53, Article 1121, Title 25, Chapter 2, Revised Texas Civil Statutes 1911, the same being the Act of the Thirtieth Legislature, Chapter 157, General Laws, page 299, be amended so as to read hereafter as follows:

"Section 53. The construction, operation and maintenance of terminal railways; and any such terminal railway company, in addition to the rights conferred by law upon corporations generally, shall have and exercise all rights and powers conferred upon railroad companies by Chapters 8 and 9, Article 115, of the Revised Statutes of Texas relating to railroads. And when any such terminal railway company is adjacent to any inland navigable stream or water body, it shall have the right and power to construct, erect

operate and maintain all necessary and convenient facilities of every kind and character to accommodate and expeditiously handle the exchange of freight and passenger traffic with any and all steamships, and all other vessels and water craft using such waterways. Such terminal railway company shall also have the right to issue bonds in excess of its authorized capital stock; provided, that its stock and bonds shall be issued under the direction of the Railroad Commission of this State, in accordance with the stock and bond law regulating the issuance of stocks and bonds by railroads; and the commission shall fix the values of the property, rights and franchises of such terminal railway company; and its stock and bonds shall not exceed the amount authorized by the Railroad Commission of Texas; and jurisdiction over the issuance of the bonds herein authorized is hereby expressly vested in the Railroad Commission; provided, that no such terminal company shall have the right to charge any railroad company, steamship, vessel or water craft for terminal facilities a greater amount than may be, from time to time, designated and established by the Railroad Commission, which shall have authority to establish and prescribe such rates and rules for the operation of all such terminal companies as will prevent discrimination by them against any common carrier with respect to either charges or service; provided, further that the provisions of Articles 6656, 6657 and 6658 of the Revised Statutes of Texas shall apply to any and all orders, rulings, judgments and decrees of the Railroad Commission made, entered or held under the provisions of this subdivision in regard to such terminal railway companies.

Section 2. The fact that there is now no express authority authorizing terminal companies to erect, construct, operate and maintain facilities to accommodate the exchange of freight and passenger traffic with vessels and water craft on inland waterways within the State; and the further fact that the reliance of such companies upon an implied power for such authority opens a question of doubt and argument and affects the sale and dispo-

sition of the bonds of such companies when authorized for such purposes, creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days be suspended, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 204 and find it correctly enrolled, and have this day at 3:35 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Hopkins. S. B. No. 204.

An Act to repeal Section 4, Chapter 150, Acts Regular Session of the Thirty-third Legislature, as amended by Chapter 13, Acts of the First Called Session of the Thirty-third Legislature, relating to the payment of in-county witnesses in felony cases, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 4 of the Acts of the Regular Session of the Thirty-third Legislature, as amended by Chapter 13 of the First Called Session of the Thirty-third Legislature, providing for fees for in-county witnesses, be and the same is hereby repealed.

Sec. 2. The fact that the law now authorizes the issuance of scrip for fees for in-county witnesses in felony cases, and there is no fund out of which such scrip may be paid, thereby causing great obligations to accrue against the State, creates an emergency and an imperative public necessity, calling for the suspension of the constitutional rule requiring bills to be read on three several days, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

APPENDIX B.

The following expense vouchers are printed here by order of the Senate, and on motion of Senator Clark:

Austin, Texas, Oct. 30, 1916.
Graham's Drug Store.
900 Congress Ave. -

Department of Agriculture,
Capitol Station.

1916.	Amount.
Oct. 16—To 1 oz. chloroform..	.10
Oct. 23—To 1 oz. sulph. acid..	.65
Dec. 1—To Plaster Paris....	.50
Dec. 2—To Camel hair brush	.10
Dec. 4—To 1 oz. sulph. acid	.75
1 gal. glycerine..	2.50
	<hr/> \$4.60

Approved January 12, 1917 for (\$4.60) Four and 60/100 Dollars, to be paid out of the Appro. Exp. of Ent. Y-382.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Personally, before me, the undersigned authority, this day appeared J. W. Graham, President, who being by me duly sworn, on his oath, says that the account hereto attached for \$4.60 in favor of Graham Drug Co. and against Department of Agriculture, State of Texas, is within the knowledge of affiant, just, true and correct; that it is due and that all just and lawful offsets, payments and credits have been allowed; and that the articles enumerated therein have actually been delivered, and the goods so delivered are the kind and quality contracted for, and that the amounts charged in said account are in accordance with the contract price and correspond in every particular to the supplies or articles furnished; that no commission or other compensation has been or will be paid as a consideration for such purchase, and that affiant knows all such facts.

J. W. Graham, Pres.

Sworn to and subscribed before me this 30th day of December, 1916.
(Seal) D. F. Kelleher,
Notary Public, Travis County, Texas.
Y-382—Expense of Entomologists.

The Jordan Company
610 Congress Avenue
Photo Supplies

Austin, Texas, Jan. 1, 1917.
State Department of Agriculture,
Capitol, City.

Dec. 7.—Mounting pictures....\$4.00

Approved January 12, 1917 for
(\$4.00) Four and 0-100ths Dollars,
to be paid out of Appro. Coll. Comp.
and Dissem. Agri. INF—Y-397.

Fred W. Davis,
Commissioner.

State of Texas,
County of Travis.

Personally, before me, the under-
signed authority on this day appeared
Alfred Ellison, who being by me duly
sworn, on his oath, says that the
account hereto attached for \$4.00 in
favor of Jordan Co. and against State
Department of Agriculture is within
the knowledge of affiant, just, true
and correct, that it is due and that
all lawful offsets, payments and cred-
its have been allowed; that the ar-
ticles enumerated therein have actu-
ally been delivered, and the goods
so delivered are the kind and quality
contracted for, and that the amounts
charged in said account are in accord-
ance with the contract price and cor-
respond in every particular to the
supplies or articles furnished; that
no commission or other compensation
has been or will be paid as a consid-
eration for such purchase, and that
affiant knows all such facts.

Alfred Ellison.

Sworn to and subscribed before
me this 9th day of Jan. 1917.

E. P. Cravens,
Notary Public, Travis County, Texas.
(Seal)

Y-397—Coll. Comp. and Dissem.

Austin, Texas, Jan. 12, 1917.
The State of Texas,
(Department of Agriculture)

To—Southwestern Engraving Co.,
Fort Worth—Dr.

For amount due as per statement
hereto attached\$3.70

Total\$3.70

Approved (\$3.70) Three and 70/100
Dollars, to be paid out of Appro-
priation Coll. Comp. and Dis. Agri.
Inf.—Y-397.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Personally, before me, the under-
signed authority, this day appeared
Ben F. Chapman, who, being by me
duly sworn, on his oath, says that the
amount hereto attached, for \$3.70 in
favor of S. W. Engraving Co. and
against the Department of Agricul-
ture is, within the knowledge of af-
fiant, just, true and correct, that it is
due and unpaid.

Ben F. Chapman.

Sworn to and subscribed before me
this 12th day of Jan., 1917.

(Seal) J. K. Thompson,
Notary Public, Travis County, Texas.
Y-377—Coll. Comp., etc.

Fort Worth, Texas, Dec. 30, 1916.
State Department of Agriculture,
Austin, Texas.

Southwestern Engraving Company,
Photo Engravers, Designers,
Electrotypers.

Main and Fourteenth Streets,
Fort Worth, Texas.

Nov. 10\$3.70

Approved January 12, 1917 for
(\$3.70) Three and 70/100ths Dollars
to be paid out of Appro. Coll. Comp.
and Dissem. Agri. Inf.—Y-397.

Fred W. Davis,
Commissioner.

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE THE STATE OF TEXAS

To C. E. Graham, Dr.
January 29, 1917.

Date.	Transportation From.	To.	Railroad Fare.	Hotel Bills.	Remarks.
14	Austin, No. 25739	Houston	\$4.95		Sleeper \$1.60
15	Ho.	Rosenberg	1.10		Transfer .50
15	Rosenberg	Wharton	.75		
16	Wharton to El Campo, \$0.40, to Edna, \$0.80		1.20		
				2.50	

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo O. E. Graham, Dr.—Continued.
January 29, 1917.

Date.	Transportation From.	To.	Railroad Fare.	Hotel Bills.	Remarks.
17	Edna	Victoria	\$.80	\$ 2.50	
17					Transfer \$.25
18	Victoria	Goliad	.80	2.50	
18					Transfer .25
19	Goliad	Beeville	.85	2.50	Transfer .25
20	Beeville	Corpus Christi	1.70	3.00	
21	Corpus	Senton	.80	3.00	
22	Senton			2.50	
23	Senton	Bay City	3.65	2.50	Transfer .25
24	Bay City	Angleton	1.10	2.50	Transfer .25
25	Angleton, 24th	Alvin	.80	2.50	Transfer .25
25					Jitney .50
25					Interurban .60
26				2.50	
27	Houston	Bryan	3.00	2.50	
28	Bryan	Austin	3.25	2.50	Sleeper 1.60
	No. 25739				
	\$30.00—\$24.75=\$5.25				
		Total,		\$ 39.50	\$6.30

I do solemnly swear that the above expense account, aggregating \$45.80, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

C. E. GRAHAM.

Sworn to and subscribed before me by O. E. Graham on this the 29th day of January, 1917.
J. K. THOMPSON, Notary Public, Travis County, Texas.
(Seal) Notary Public, Travis Co., Texas.

Approved on this 29th day of January, 1917, for \$45.80 payable out of the appropriation
EXP. INST., LECT. 379 Y/

Y-379—Ex. Inst. Lectures.

FRED W. DAVIS, Commissioner of Agriculture.

State Department of Agriculture,
To—Margaret Greene—Dr.

One drop for State Department of Agriculture booth at Dallas Fair \$10.00
Work on Colonial room, State Department of Agriculture booth, Dallas State Fair.. 10.00
Signs for State Department of Agriculture exhibits at Dallas Fair 5.00
Materials (paints) 5.00
Total \$30.00

O. K.—W. Wehe—Signs were for Mr. E. Scholl.

Margaret Greene.

Approved November 14, 1916 for (\$30.00) Thirty and 0/100ths Dollars, to be paid out of Appro. Coll. Comp. and Dissem. Agri. Inf.—Y-397
Fred W. Davis,
Commissioner.

I do hereby swear that the within account is just, true, correct and unpaid to the best of my knowledge and belief.

Margaret Greene.

Subscribed and sworn to before me this the 13th day of November, A. D. 1916.

(Seal.) John L. Brockenbrough,
Notary Public, McLennan County, Texas.

Y-397—Coll. Comp. Dis.

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo Mrs. J. L. Landrum, Dr.
November, 1916.

Date.	Transportation From.	To.	Railroad Fare.	Hotel Bills.	Remarks.
1	Hotel	Waco		\$ 4.00	Rent of machine, \$3.00
	Local phone calls, \$0.30				.30
2	Waco			4.00	Car fare .30

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo Mrs. J. L. Landrum, Dr.—Continued.
November, 1916.

Date.	Transportation From.	To.	Railroad Fare.	Hotel Bills.	Remarks.
2	Auto hire to Robinson club		\$ 3.00		
2	Car fare, 20c; transfer baggage, 50c; phones, 15c				\$.85
2	Stamps				1.00
3	Car fare, 30c; phone calls, 15c			\$ 3.25	.45
4	Car fare, 30c			3.50	.30
5	Car fare, 30c			3.25	.30
6	Telegram from Mrs. Miles, .60c (Corpus Christi)				
7	Car fare, 20c			3.25	Car fare, 30c .60
8	Waco	West and return	1.40	3.50	Car fare .20
8	Waco	Dallas	3.00		Car fare .30
8	Dallas			4.00	Transfer .50
9	Dallas	McKinney and return	2.85	4.00	Phones .15
10	Dallas	Waco	3.00	3.50	Car fare .30
11	Waco			3.25	Car fare .30
12	Waco			3.00	Car fare .30
13	Long distance call to Mrs. McWilliams Lott				.60
13	Waco			3.50	Car fare .20
14	Waco			3.50	Car fare .30
15	Waco	Sherman	4.50	4.00	
15	Transfer and car fare, 40c				.40
16	Sherman			4.00	Car fare .10
17	Transfer, 50c				Transfer .50
17	Sherman	Waco	4.50	4.00	Car fare .30
17	Stamps, \$1.00; car fare, 30c; phone call, 10c				1.40
18	Waco			4.00	Car fare .30
19	Waco			2.50	
19	Phone calls, 20c; car fare, 15c; transfer, self, 25c				.60
19	Transfer of trunk				.25
19	Waco	San Antonio	5.85		
19	Sleeper		2.00		
20	Transfer self, San An- tonio, 50c		.50		
20	Transfer of trunk, 40c				Transfer .40
20	Meals in San Antonio			2.00	Car fare .20
20	San Antonio	Corpus Christi	4.50		
20	Sleeper		2.00		
20	Auto hire to Highland school		1.00		
21	Transfer, Corpus Christi, 25c		.25	4.00	Transfer of trunk .25
22	Car fare, 30; phone calls, 30c			4.00	
22	Telegram, Mr. Montgom- ery, Wells Fargo, 60c				.60
23	Corpus Christi				
24	Corpus Christi			4.00	Car fare .25
25	Corpus Christi			4.00	Car fare .20
26	Corpus Christi, car fare, 20c; local phones, 30c			4.00	Car fare .20
27	Corpus Christi, car fare, 20c			4.00	.50
27	Stamps \$1.00			4.00	Local phone 10c+.20
28	Corpus Christi				Stamps \$1.00
28	Car fare, 20c			4.00	
28	Stationery				.20
29	Corpus Christi				.25
30	Corpus Christi, car fare, 20c			4.00	Car fare .30
				4.00	Car fare .20
Total,			\$ 38.35	\$ 110.00	\$10.85

I do solemnly swear that the above expense account, aggregating \$168.20, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

MRS. J. L. LANDRUM.

Sworn to and subscribed before me by Mrs. J. L. Landrum on this the 2nd day of December, 1916: **CURRAN L. BENTON**, Notary Public, Nueces County, Texas.
(Seal) Notary Public, Nueces Co., Texas.

Approved on this 6th day of December, 1916, for \$168.20 payable out of the appropriation
EXP. INST. WORK—Y379.

FRED W. DAVIS, Commissioner of Agriculture.

Y-379—Ex. Inst. Lectures.

Tobin's Book Store
State Stationery Contractor
606 Congress Avenue, Austin, Texas.
January 1, 1917.

Sold to Agriculture—Contingent:		Amount.
Dec.		
1—	1 W. P. Ink.....	\$.50
	1 Roll Paper towels..	.50
	100 V. L. Folders....	1.25
	24 Special made board covered with velvet	24.00
	4 Mounts	2.00
6—	Putting name on 2M cards	3.00
	5 Rolls towels	2.50
7—	4 Boards	3.00
	Furnishing 2 double strength glass and fixing four frames..	10.00
11—	6 Sheets card board cut 1½ inch strips	1.00
13—	2 Color brushes	1.50
18—	1 Weis stationery cabinet	3.60
29—	9 Mat boards	3.15
30—	15 Artists blotters ..	1.50
	1 Roll Passerpetout binding .....	.10
Total		\$57.60

Approved January 26, 1917 for (\$57.60) Fifty-seven and 60/100ths Dollars, to be paid out of Appro. Sta. Post. Exp. and Tel.—Y-392.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Before me, the undersigned authority, on this day personally appeared J. H. Tobin, of the Tobin Book Store, a corporation duly chartered under the laws of the State of Texas, who, upon oath says that he is familiar with the items enumerated in the attached bill of the Tobin's Book Store, contractor, for \$61.20; that all the articles specified therein have been furnished to the State of Texas as required by law and the contract; and they are all in accordance with the contract between the

State of Texas and said contractor; that the samples attached to said bill are true samples of the articles furnished, to the best of his knowledge and belief, and that the bill is just, true and correct, and no part of same has been paid.

J. H. Tobin.

Subscribed and sworn to before me at Austin, Texas, this 11th day of January, A. D. 1917, as witness my official signature and seal.

(Seal) **Ida G. Vardell**,
Notary Public, Travis County, Texas.
Y-392—Stationery, Postage, etc.

State Department of Agriculture,
To Miss Margaret Greene—Dr.

To two life-size paintings of cows for Mr. Patterson for the Houston Fair, at \$5.00 each	\$ 10.00
Materials	2.00
Total	\$12.00

O. K.—B. P. C.

Margaret Greene.

Approved November 14, 1916 for (\$12.00) Twelve and 0/100ths Dollars, to be paid out of Appro. Coll Comp. and Dis. Agri. Inf.—Y-397

Fred W. Davis,
Commissioner.

State of Texas,
County of McLennan.

I do hereby swear that the written account is just, true, correct and unpaid to the best of my knowledge and belief.

Margaret Greene

Subscribed and sworn to before me this the 13th day of November, A. D. 1916.

(Seal) **John L. Brockenbrough**,
Notary Public, McLennan Co., Texas.
Y-397—Coll Comp. and Dis.

Austin, Texas, January 24, 1917.

The State of Texas
(Department of Agriculture)

To Thayer & Chandler, Chicago,
Illinois, Dr.

For items as per statement
hereto attached\$40.50
Total\$40.50

Approved (\$40.50) Forty and 50/100 Dollars, to be paid out of Appropriation Expense of Entomologists—Y-382.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Personally, before me, the undersigned authority, this day appeared E. E. Scholl, who, being by me duly sworn, on his oath, says that the account hereto attached, for \$40.50 in favor of Thayer & Chandler and against the Department of Agriculture is, within the knowledge of affiant, just, true and correct, that it is due and unpaid.

Ben L. Chapman.

Sworn to and subscribed before
me this 25th day of January, 1917.
(Seal) J. K. Thompson,
Notary Public, Travis County, Texas.
Y-382—Ex. Ent.

AGRICULTURAL DEPARTMENT

To The Western Union Telegraph Co., Dr.

Dec.		S. A.	\$	.31		Neill	Haskell	\$	.50	
1	Tanner	Post		.50	.81	Cole	Jacksonville		.40	
2	Marks	Lamesa		.50		Oole	"		.79	
	Macwhinnie	Post City		.50		Muller	Laredo		.30	
	Allen	Luftin		.40	2.21	Starr	Midland		.50	
4	Bentley	Ablene		.30		Wehe	Norfolk,	1.00	\$21.22	
	Land	Ft. Worth		.42			Va.			
	Roberts	Kirbyville		.40		11 Parks	Bishop		.30	
	Owens	Washington		.75	4.08	Walker &	Corsicana		.72	
		D. O.				Hampton	"		.42	
5	Owens	"		.75		Walker	"		.40	23.07
	Brome	Llano		.30		Schoatag	Mount Pleasant			
	Balas	Houston		.51	5.73		Big Spgs.		.50	
6	Land	Ft. Worth		.30	6.12	13 Marks	Mission		.50	
7	Daily News	Amarillo	3.38			Nance	"		.50	
	Elliott	Dallas	.07	10.47		Nance	"		.50	
8	Amarillo News	Amarillo	.50			Davis	Norfolk,	.75	25.32	
	Daily News	"	.68				Va.			
	Dilling	Colorado	.50			12 Munson	Angleton	.30	25.62	
	Neill	Haskell	.50			14 Campbell	Corsicana	.30	25.92	
	Strain	Houston	.38			15 Landrum	Corpus	.30		
	Starr	Midland	.50			Sumrall	San Angelo	.30		
	Anthony	Tahoka	.50				Sweetwater	.81		
	Carter	Topeka,	1.28			Marks	Memphis	.58		
		Kan.				Ganale	Toronto,	1.05	29.12	
	Turner	Cumberland	1.18	10.44		Danles	Ont.			
9	Daily News	Amarillo	.50				Oakville	.45		
	Landrum	Bishop	.30			16 Co. Supt.	Corpus	.30		
	Dulla	Colorado	.50			Landrum	Sugarland	.25		
	Edgar	Hamilton	.43			Saner	Hondo	.43	40.88	
	Cameron	Hempstead	.25			Davis	Jewett	.32		
	Davis	Richmond,	.75	51.30		28 Minter	"	.30		
		Va.				Minter	Hereford	.50	42.00	
18	Marks	Big Spgs.	.50			Patterson	Sweetwater	.90		
	Munson	Angleton	.42	32.22		29 Nealy Oom.				
10	Campbell	Sweetwater	.30	32.52		Co.	Hereford	1.40		
1916 Dec.						Allman	Galveston	.72		
20				32.52		Haviland	Amarillo	.58		
20	Adams	New Rochelle,	.40			Patterson	Amarillo	1.40		
		N. Y.				Amarillo News	Higgins	1.43		
	Bentley	Colorado	.50	35.42		Atkins	Post City	1.40		
21	Landrum	Runge	.20	35.71		Double U Co.	Wharton	.47	50.31	
23	Marks	Sweetwater	.32			Oole	Clarksville	.61		
	Winn	Canyon	.50	20.53		Agent Wells Fargo				
26	Wipprecht	College Station	.25			Ayers	Houston	.45		
	Patterson	Goodnight	.50			Hirschweitz	N. O. La.	.50	51.93	
	Marks	Lamesa	.84							
	Kent	Waco	.25			Nov. 14 E. E. Scholl	Waco		.25	
	Daggage master	Wharton	.40			E. E. Scholl	Corpus Christi		.46	
	Walker	Denver,	.84	39.70		Jno. Vennermer				
		Colo.				W. P. Hel-scher				
27	Patterson	Amarillo	.50							52.64

THE STATE OF TEXAS
COUNTY OF TRAVIS

Personally, before me, the undersigned authority, this day appeared Ben Morrall, Cashier, who, being by me duly sworn, on his oath says that the account hereto attached for \$52.64/100 in favor of The Western Union Telegraph Co. and against State Agricultural Dept. is, within the knowledge of affiant, just, true and correct; that it is due and that all just and lawful offsets, payments and credits have been allowed.

BEN MORRALL, Cashier.

Sworn to and subscribed before me this 4th day of January, 1917.

O. D. PARKER, Notary Public, Travis County, Texas.
(Seal) Notary Public, Travis County, Texas.

Approved January 12, 1917, for (\$52.64) Fifty-two and 64/100ths Dollars, to be paid out of Appro. Sta. Post. & Tel.—Y392.

FRED W. DAVIS, Commissioner.

Y392—Sta., Post., Etc.

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXAS

To Mrs. J. L. Landrum, Dr.
October, 1916.

Date.	Transportation From.	To.	Railroad fare.	Hotel Bills.	Remarks.
1	Transfer, Lubbock		\$.25		Rent of machine
1	Breakfast, dinner and supper at the Harvey House			\$ 1.75	\$3.00
1	Transfer at Sweetwater		.25		
1	R. R. fare Lubbock to Fort Worth		9.95		
1	Pullman		2.80		
2	Hotel, Fort Worth			4.00	Car fare, telephone, transfer .70
3	R. R. fare to Dallas		.70		
3	Transfer, Dallas; local phone calls		.60	4.00	Car fare .20
4	Storage on trunk; exhibits and transfer				
4	R. Dallas	Sherman	1.50		Stamps .60
4	Transfer, Dallas, 50c; car fare, Sherman, 20c		.20	3.00	1.00
4	Express on exhibits, Plainview to Dallas				.60
5	Sherman, car fare		.15	3.00	Stamps .50
6	Sherman			3.50	Car fare .10
7	Sherman			3.00	Car fare .15
8	Sherman, stamps, 20c; car fare, 15c; phones, 15c			3.00	.50
9	Sherman	Howe	.25		Auto service .50
9	Howe	Denison	.50		Transfer .25
9	Long distance, Howe to Denison, Miss Geroge			3.00	.40
9	Long distance, Denison to Sherman, Mrs. Barry				.25
10	Long distance, Dorchester, Mrs. Ridings				.40
10	Denison	Dallas	2.25	4.00	Transfer .50
11	Dallas			4.00	Car fare .20
12	Transfer baggage to Fair Grounds, 75c			2.50	.75
12	Car fare, 30c; stamps, \$1; phone calls, 20c				1.50
13	L. D. phone, Lola Farmer, Waco, about exhibits			2.50	\$0.60 car fare .20
14	Car fare, 20c; local phone calls, 20c			2.50	.40
15	Car fare, 30c; phone calls, 15c			2.50	.45
16	Car fare, 30c			2.50	.30
17	Transfer baggage, Fair Grounds to station				.75
17	Dallas	Denison	1.75	3.00	Car fare .30
18	Auto service to Layne, Shiloh, Oak Ridge		5.00	3.00	Stamps 1.00
19	Denison	Pottsboro and return	.60		
19	Transfer, Denison		.25	3.00	
19	Long distance to Adolphus Hotel				.50
20	Denison	Dallas	2.25	4.50	Transfer .50
21	Transfer of trunk, 50c; car fare, 30c			3.00	.80
22	Dallas			3.00	Car fare .20

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo Mrs. J. L. Landrum, Dr.—Continued.
October, 1916.

Date.	Transportation From.	To.	Railroad Fare.	Hotel Bills.	Remarks.
23	Dallas			\$ 3.00	Car fare \$.20
24	Dallas, car fare, 20c			3.00	Stamps .20
25	Car fare, 25c			3.00	.25
26	Dallas			3.00	Car fare .25
27	Dallas	Denison and return	\$ 4.50	4.00	Car fare .25
28	Dallas			3.50	Car fare .25
28	Telegram to Mr. Mayfield for Mr. Wehe				.40
28	Local phone calls, 10c; car fare, 30c				.40
29	Telegram, Mrs. Boggs, Sulphur Springs			3.00	.40
30	Typewriter ribbon, 50c; car fare, 15c			3.50	Telegram .65
31	Transfer of baggage, 50c; car fare, 10c				.60
31	Moving show case from Dallas Fair Grounds				1.00
31	Moving spinning wheel from Fair Grounds				.75
31	Express on fruit to Miss Bessie Hill, McKinney				.80
31	Telephone to Mrs. Lovejoy, McKinney				.40
31	Dallas	Waco	1.80		
31	Transfer, Waco		.50		
31	Local phones			4.00	.40
31	Hotel, Waco				
31	Car fare		.10		
29	Telegram to Mr. Neal				.25
Total,			\$ 35.95	\$ 98.25	\$25.95

I do solemnly swear that the above expense account, aggregating \$160.15, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

MRS. J. L. LANDRUM.

Sworn to and subscribed before me by Mrs. J. L. Landrum on this the 13th day of November, 1916. JOHN L. BROCKENBROUGH, Notary Public, McLennan County, Texas. (Seal) Notary Public, McLennan Co., Texas.

Approved on this 14th day of November, 1916, for \$160.15 payable out of the appropriation EXP. INST. WORK—Y379.

FRED W. DAVIS, Commissioner of Agriculture.

Y-379—Ex. Inst. Lectures.

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo Mrs. J. L. Landrum, Dr.
December, 1916.

Date.	Transportation From.	To.	Railroad Fare.	Hotel Bills.	Remarks.
1	Corpus Christi			\$ 4.00	Rent of machine \$3.00
	Telegram from Mrs. McWilliams, Lott				.40
2	Auto service to Oso school		\$ 3.00	4.00	Paper .50
2	Telegram from Mrs. Freeman, San Benito				.40
3	Corpus Christi			4.00	
3	Auto service to Clarkwood schoolhouse				
	My part of it		2.00		
4	Transfer, Bishop and Corpus Christi	Bishop	.40		
	Corpus Christi	San Benito	.95		
	Bishop		3.55		
	Transfer, Bishop and San Benito		.50		
4				3.00	
5	San Benito	Mercedes	.80		
		San Benito	.50	3.00	

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo Mrs. J. L. Landrum, Dr.—Continued.
December, 1916.

Date.	Transportation From.	To.	Railroad fare.	Hotel bills.	Remarks.
5	Mercedes		\$ 3.00	\$ 3.00	
6	Auto service to Newbraska School	Harlingen	.35		Transfers \$.50
7	San Benito	Mercedes	.45		
7	Harlingen	San Benito	.80	3.00	Transfers .30
7	Mercedes	Donna	.90		
8	San Benito	San Benito	.90	3.00	
8	Donna	Brownsville	.60	3.50	Transfers, both places .50
9	San Benito			3.50	
10	Brownsville		.50		
11	Auto service to Brownsville H. S.				.40
11	Telegram from Mr. Nance, Mission				Stamps, \$0.50 .40
11	Night letter to Mr. Nance, Mission				
11		Mission	1.85	3.50	Carbon paper .05
12	Brownsville	San Benito	1.25	3.00	Transfer .25
13	Mission	Westside	1.00	3.00	Transfer .25
14	Auto service			3.00	1.00
15	Materials for club demonstration	Bishop	3.55	3.00	Transfers .50
16	San Benito				.60
16	Materials for club demonstrations				.35
16	Telephone call from Mr. Hopkins, Nueces Hotel	Corpus Christi	.95	4.00	Transfers .40
16	Bishop				.20
16	Telephone Miss East, Kingsville			4.00	
17	Corpus Christi				.35
18	Telegram to Mr. Neal, Austin				.70
18	Telegram from Corinne Horne, Sec. Howe Club				1.00
18	Materials for club sewing lessons			4.00	Local phones .20
18	Telegram to Corinne Horne, Sec. Howe Club	Beeville and return	3.00	3.00	Telegrams .60
19	Corpus Christi	Runge and return	2.55	2.50	Transfer .40
20	Beeville			2.50	Transfer .25
21	Runge			2.25	.50
22	Corpus Christi auto service to club meeting	Houston and return	11.50		
22	Corpus Christi		2.00		
22	Sleeper		.25		
22	Transfers, Corpus Christi		.50	4.00	
23	Transfer, Houston				.25
24	Car fare and telephone calls			2.25	
24	Houston			4.00	Transfer .50
29	Houston				.25
29	Telegram to Mr. Englehard, Eagle Lake				.20
29	Local telephone calls			4.00	
30	Houston			4.00	Transfers .75
31	Corpus Christi				
31	Transfers, Houston and Corpus Christi				1.00
31	Stamps				.70
31	Amt. paid to Hube Furn. Co., as per bill attached				
Total,			\$ 47.90	\$ 93.00	\$17.15

I do solemnly swear that the above expense account, aggregating \$158.05, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

MRS. J. L. LANDRUM.

Sworn to and subscribed before me by Mrs. J. L. Landrum on this the 3rd day of January, 1917.
OURRAN L. BENTON, Notary Public, Nueces County, Texas.
(Seal) Notary Public, Nueces County, Texas.

Approved on this 6th day of January, 1917, for \$158.05 payable out of the appropriation
EXP. INST. WORK—Y-379.

Y-379—Ex. Inst. Lectures.

FRED W. DAVIS, Commissioner of Agriculture.

State Department of Agriculture,
The State of Texas
Monthly Expense Account.

To Geo. B. Terrell, Dr.

January 8, 1917.

Date	Amount
Jan. 9, Board and lodging, eight days	\$9.00
Total	\$9.00

I do solemnly swear that the above expense account, aggregating \$9.00, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

Geo. B. Terrell,

Sworn to and subscribed before me by Geo. B. Terrell on this the 10th day of January, 1917.

(Seal) J. R. Granberry,
Notary Public, Travis County, Texas.

Approved on this 10th day of January, 1917, for \$9.00 payable out of the appropriation Expense Reg. Men. Mkts.—Y-385.

Fred W. Davis,
Commissioner.

Y-385—Expense Reg. Men. Mkts.

Bought of
E. M. Scarbrough & Sons,
Outfitters for Ladies and Gentlemen.
State Agricultural Department, Capital Station:

To Mdse. as per bill rend.	
Day—Oct., 1916—By Dr. Wehe.	
6 2 yds. Lace at .10.....	.20
3/4 yd. Lawn .....	.05
1 yd. Calico .....	.07
2 yds. Calico at 0.7.....	.14
9 yds. Calico at .07.....	.63
7 91 1/4 yd. Calico at 8 1/3..	7.61
Dec., 1916.	
26 8 yds. velveteen at .75....	6.00
Total	\$14.70

The State of Texas,
County of Travis.

Personally, before me, the undersigned authority, this day appeared J. L. Brown, who being by me duly sworn, on his oath, says that the account hereto attached for \$14.70 in favor of E. M. Scarbrough & Sons and against the State Agricultural Department is, within the knowledge of affiant, just, true, and correct; that it is due and that all just and lawful offsets, payments and credits

have been allowed, that the articles enumerated therein have actually been delivered, and the goods so delivered are the kind and quality contracted for, and that the amounts charged in said account are in accordance with the contract price and correspond in every particular to the supplies or articles furnished, that no commission or other compensation has been or will be paid as a consideration for such purchase, and that affiant knows all such facts.

J. L. Brown,

Sworn to and subscribed before me this 20th day of January, 1917.

(Seal) J. A. Bobo,
Notary Public, Travis County, Texas
February 1, 1917.

E. M. Scarbrough & Sons.

Approved for \$14.70.

Appropriation Coll. Comp. Agri. Inf.—Y-397.

Fred W. Davis,
Commissioner.
Y-397—Coll. Comp. Agri. Inf.

Austin, Texas, January 15, 1917.
The State of Texas,
(Department of Agriculture)
To Wilhelm Wehe, Dr.

For—Wesson oil .....	.55
Hauling trunk .....	.50
Storage .....	.25
Live owl	1.00
Sample cotton bales....	3.00
Total	\$5.30

Approved (\$5.30) Five and 30/100 Dollars, to be paid out of Appropriation Coll. Comp. and Dissem. Agri. Inf.—Y-397.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Personally, before me, the undersigned authority, this day appeared Wilhelm Wehe, being by me duly sworn, on his oath, says that the account heretofore attached, for \$5.30 in favor of himself and against the Department of Agriculture is, within the knowledge of affiant, just, true and correct, that it is due and unpaid.

Wilhelm Wehe.

Sworn to and subscribed before me this 15th day of January, 1917:

(Seal) J. K. Thompson,
Notary Public, Travis County, Texas.
Y-397—Coll. Comp. and Dissem. Agri. Inf.

MONTHLY EXPENSE ACCOUNT,

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo J. W. Neill, Dr.
November 25, 1916.

Date.	Transportation From.	To	Railroad fare.	Hotel Bills.	Remarks.
10	Austin (and berth)	Washington, D. C.	\$51.90		
11		En route		\$ 1.95	
12		En route		\$ 1.95	
15	Washington, D. C.	Austin	42.40	7.21	Transfers \$.50
	Sleeper to New Orleans		6.50		
16		En route		1.85	
17		En route		\$ 1.95	
18					
25	Farmers' Bulletins for Department State dues to American Association of Farmers' Institute Workers			.40	Transfer .25 1.25 15.00
Total \$			100.80	\$ 15.35	\$17.00

I do solemnly swear that the above expense account, aggregating \$133.15, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

J. W. NEILL.

Sworn to and subscribed before me by J. W. Neill on this the 25th day of November, 1916.
J. R. GRANBERRY, Notary Public, Travis County, Texas.

(Seal) Notary Public, Travis Co., Texas.

Approved on this 25th day of November, 1916, for \$133.15. Payable out of the appropriation Exp. Inst. Work.—Y-379.

FRED W. DAVIS, Commissioner of Agriculture.

Washington, D. C., Nov. 15, 1916.

Received from J. W. Neill, Fifteen Dollars. Membership for 1916, for taxes in Amer. Assn. Farmers Institute Workers.

\$15.00

Y-379—Ex. Inst. Lectures.

L. R. TAFT, Treas.

Austin, Texas, Dec. 7, 1916.

The State of Texas
(Department of Agriculture)
To Fred W. Davis, Dr.

For Dec. 7, 1916 railroad fare,
Austin-Norfolk, Va. \$38.40
Pullman 9.50
Total \$47.90
Clark.

Approved (\$47.90) Forty-seven and 90/100ths Dollars to be paid out of Appropriation Trav. Exp. of Commissioner—Y-396.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Personally, before me, the undersigned authority, this day appeared Fred W. Davis, who, being by me duly sworn, on his oath, says that the account hereto attached, for \$47.90 in favor of himself and against the Department of Agriculture is, within the knowledge of af-

fiant, just, true and correct, that it is due and unpaid.

Fred W. Davis.

Sworn to and subscribed before me this 7th day of December, 1916.

(Seal) J. K. Thompson,
Notary Public, Travis County, Texas.
Y-396—Trav. Exp. of Commissioner.

Bought of
E. M. Scarbrough & Sons,
Outfitters for Ladies and Gentlemen,
Austin, Texas.

Statement of your account for the month of September, 1916.
State Department of Agriculture,
Capitol, Station.
Day—September, 1916.

1—To Mdse. as per bill rend.
26—120 yds. bunting at .09.. \$10.80
120 yds bunting at .05.. 6.00
50 yds. blk. calico at
.08 1/3 4.17
100 yds. B. cal. at .08 1/3 8.33
29— 53 3/4 yds. calico at
.08 1/3 4.49

32 yds. Tarlton at .09 1/2 3.00

Total\$36.79
By Dr. W. Wehe.

Approved January 12, 1917, for
(\$36.79) Thirty-six and 79/100ths
Dollars, to be paid out of Appro. Coll.
Comp. and Dissem. Agri. Inf.—Y-397.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Personally, before me, the under-
signed authority, this day appeared
J. L. Brown, who, being by me duly
sworn, on his oath, says that the ac-
count hereto attached for \$36.79, in
favor of E. M. Scarbrough and Sons
and against the State Agricultural
Department is, within the knowledge
of affiant, just, true and correct;
that it is due and that all just and
lawful offsets, payments and credits
have been allowed, that the articles
enumerated therein have actually
been delivered, and the goods so de-
livered are the kind and quality con-
tracted for, and that the amounts
charged in said account are in ac-
cordance with the contract price and
correspond in every particular to the
supplies or articles furnished, that
no commission or other compensation
has been or will be paid as a consid-
eration for such purchase, and that
affiant knows all such facts.

J. L. Brown,

Sworn to and subscribed before me
this 12th day of October, 1916.

(Seal) J. A. Bobo,
Notary Public, Travis County, Texas.

Y-397—Coll. Comp. and Dissem.
Agri. Inf.

Austin, Texas, January 1, 1917.
Agricultural Department, State of
Texas.

In Account with
Austin Electrical Supply and
Plumbing Co.

W. Twining, Proprietor.
Office, 913 Congress Ave.

Dec. 26, 1916—

To 2-12-inch show case light. \$7.00
2-6-inch show case light.. 1.20

2-25 Watt tublar lamps...\$ 1.50
50 ft. Brewery cord..... 3.05
1-Poc cleat recept..... .25
1-Benj. attachment plug.. .25
2-Key wall sockets80
1-Key socket35
Time of electrician, 4 hrs.. 3.00
To 17 ft. Brewery cord..... 1.00
3-Porc cleat recept.40
1-10 Amp. fuse plug..... .10
4-25 Watt Mazdas..... 1.08
1-100 Watt A. L. F. round
Mazda 1.05
1-25 Watt tublar lamp.... .75
2-1/2 shades 1.20
2-Special brackets 1.50
Time of electrician, 2 hrs. 1.50

Total\$25.98

Approved January 12, 1917 for
(\$25.98) Twenty-five and 98/100ths
Dollars, to be paid out of Appro. Col.
Comp. and Dissem. Agri. Inf.—Y-397.

Fred W. Davis,
Commissioner.

The State of Texas,
County of Travis.

Personally, before me, the under-
signed authority, this day appeared
W. Twining, who being by me duly
sworn, on his oath, says that the ac-
count hereto attached, for \$25.98 in
favor of the Austin Electrical Supply
& Plumbing Co., and against the
Agricultural Department, State of
Texas, is, within the knowledge of
affiant, just, true and correct; that it
is due and that all just and lawful
offsets, payments and credits have
been allowed; that the articles enum-
erated herein have actually been de-
livered, and that the amount charged
in said account are in accordance
with the contract price and corre-
spond in every particular to the sup-
plies or articles furnished; that no
commission or other compensation
has been or will be paid as a consid-
eration for such purchase, and that
affiant knows all such facts.

W. Twining.

Sworn to and subscribed before me
this 10th day of January, 1917.

(Seal) Hugo Ribbeck,
Notary Public, Travis County, Texas,

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo James T. Denton, Dr.
December 2, 1916.

Date.	Transportation From	To	Railroad fare.	Hotel Bills.	Remarks.
9-29		At Houston		\$ 3.00	Transfers \$1.55
10-22	Port Arthur	Orange	\$ 2.30		Trans. 2 ways .50
		8 days		16.00	
11-3	Port Arthur	Kirbyville	3.80		Cab .25
					Telegram .25
11-8-18	Interurban, Beaumont-Port Arthur daily, at \$1.00 per trip		10.00	8.20	
11-20-22	Port Arthur	Orange	2.30	3.35	Transfer .50
11-22-27	Port Arthur	Shreveport	6.70	.25	Pullman 1.60
	Shreveport	Marshall	1.20	.25	Phone .30
	Marshall	Longview	.70	7.25	Telegram .25
	Longview	Kirbyville	4.65		
	Kirbyville	Port Arthur	1.90		
Total			\$ 33.55	\$ 38.30	\$5.20

I do solemnly swear that the above expense account, aggregating \$77.05, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

JAMES T. DENTON.

Sworn to and subscribed before me by James T. Denton on this the 2nd day of December, 1916.
J. R. GRANBERRY, Notary Public, Travis County, Texas.
(Seal) Notary Public, Travis County, Texas.

Approved on this 2nd day of December, 1916, for \$77.05 payable out of the appropriation Exp. Stand. Teach., Etc.—Y387.

FRED W. DAVIS, Commissioner of Agriculture.

Y387—Ex. Stand. Teaching, Etc.

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo O. W. Goodman, Dr.
November, 1916.

Date.	Transportation From	To	Railroad Fare.	Hotel Bills.	Remarks.
Oct. 31	Houston	Nacogdoches	\$ 4.20		Sleeper \$2.00
Nov. 1	Nacogdoches	Shreveport and return	3.75	3.75	Sleeper 2.00
2	Shreveport	Nacogdoches	4.20	3.50	
3	Shreveport	Houston	5.10		Sleeper 2.00
5	Nacogdoches	Temple	2.50	3.00	Bus .25
6	Houston	Rio Vista	.25		
	Temple	Cleburne	.45		
7	Rio Vista	Blum	.45	3.00	
	Cleburne	Cleburne	.70	3.00	
8	Blum	Kopperl	.20	2.00	Bus .25
9	Cleburne	Morgan	1.55	2.50	
10	Kopperl	Waco		4.00	
11	Morgan			3.75	
12	Waco	Lorena	.50		
13	Waco	Waco	.65	3.25	
	Lorena	Bruceville	.65		
14	Waco	Waco	3.30	3.75	Bus .25
	Bruceville	Austin			
15	Waco			4.00	
16	Austin	Houston	4.95	4.00	Sleeper 2.00
20	Houston	Madisonville	3.70	2.00	
21	Madisonville	Navasota	1.45		Auto 1.00
	Navasota	Greenville	7.45	3.50	Sleeper 2.00
	Greenville	Sulphur Springs	9.90		Bus .25

MONTHLY EXPENSE ACCOUNT.

STATE DEPARTMENT OF AGRICULTURE
THE STATE OF TEXASTo O. W. Goodman, Dr.—Continued.
November, 1916.

Date.	Transportation From.	To.	Railroad Fare.	Hotel Bills.	Remarks.
22	Sulphur Springs	Greenville	\$.95	\$ 3.00	
23	Greenville	Denison	1.60		
	Denison	Sherman	.95	3.00 Bus	\$.25
24	Sherman	Dallas	2.00	3.50	
25	Dallas			3.75	
26	Dallas	Fort Worth	.70	4.00	
27	Fort Worth	Houston	8.55	2.50	2.00
	Stenographers on Corn Bulletin				5.00
					Stamps .50
			Total \$ 64.35	\$ 72.75	\$19.75

I do solemnly swear that the above expense account, aggregating \$155.85, is correct, just, and no part of same has been paid, and each item shown therein was actually expended by me for the purpose therein stated.

O. W. GOODMAN.

Sworn to and subscribed before me by O. W. Goodman on this the 5th day of December, 1916.
-----Notary Public, Travis County, Texas.

Approved on this 6th day of December, 1916, for \$155.85 payable out of the appropriation
EXP. EX. MEN. BUR. MAR. Y386.

FRED W. DAVIS, Commissioner of Agriculture.

Y-386—Extra men.

Note.

Attached to each statement of account is the certificate of H. B. Terrell, Comptroller of Public Accounts, to the effect that the statement is a true and correct copy of original statement of account on file in his office, and attested by his official signature and seal of office.

FORTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
Friday, March 9, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Balley.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Sulter.
Hall.	Westbrook.
Harley.	Woodward.
Hopkins.	

Absent.

Alderdice.	Callwell.
Bee.	Hudspeth.

King.
McCollum.

McNealus.

Absent—Excused.

Henderson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

House Bill No. 783 Re-referred.

By unanimous consent, and on request of Senator Dean, H. B. No. 783 was withdrawn from the Committee on Public Claims and Accounts and